

Higher Educational Policy of the European Union

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Preface

Within the framework of the Targeted Socio-Economic Research (TSER) programme of the European Union, eight research institutes from eight European countries have joined in the research project "Governmental policies and programmes for strengthening the relationship between higher education institutions and the national economy (HEINE)" (SOE-CT97-2018). The objective of the research project is to examine the main factors that have determined the success or failure of recent governmental attempts at the national or supra-national level to strengthen the relationship between higher education institutions and the economy.

This study is carried out at the national level of the eight participating countries, but also at the European level. In order to get a clear picture of the meaning of the EC / EU promoting the relationship between higher education and the economy over the last twenty years, a review of the policy initiatives of the EC / EU was made by the Centre for Sociology of Education at KU Leuven (Flanders, Belgium). The authors believe that some of the topics addressed are equally relevant within the context of the relation between higher education and the nation state.

Introduction

It has been almost 50 years since the first 'European Community' was established. Notwithstanding the many problems and impasses that the European integration process has met in this period, it has always proceeded. The European Union now has the official authority to act on a large number of fields, including education and vocational training. The Treaty on European Union legalised the *acquis communautaire* in this area.

This chapter first provides a chronological overview of the general development of the policy of the European Community / European Union regarding education and vocational training. Topics addressed are the establishment of that policy, milestones in its development, and the difficult relationship between the EC / EU and the Member States. Second, within this general development, this chapter focuses on policies and programmes regarding education and training that particularly concern higher education and higher education institutions. We will describe in detail the content of the programmes, their evaluation, and if relevant the (legal and political) disagreements about their establishment between the Commission, the Council, and the Member States, taking the view of the Commission as a starting point.

This chapter consists of three parts, each corresponding with a certain phase in the development of EC / EU (higher) education policy.

The first part describes the period that started with the first meeting of the Ministers of Education of the EC-countries in 1971. At that time, the European Community still was in the first place an economic organisation. This continued to be so throughout that decade. Nevertheless, in subsequent meetings of the Ministers of Education, a hesitant start was taken towards a European educational policy. Agreement was reached on an Action Programme in the field of education in 1976. But this consisted for the most part of intergovernmental agreements and most 'action' was limited to producing statements, reports, and so on.

In the second period (1983-1992) both the political will and the legal basis for expanding the authority of the EC in the field of education were established. This resulted in the development of several important incentive action programmes. Gradually, these programmes -among which the so-called flagship of Community programmes, ERASMUS- made educational actions stemming from the EC generally accepted. This important evolution is the subject of the second part of this chapter.

The third part focuses on the recent developments (1993 - 1999). The Treaty on European Union, also known as Treaty of Maastricht, formally confirmed the authority of the European Union in the field of education and vocational training. Subsequently, the existing Community action programmes were rationalised and reorganised, and complemented with new activities. At the same time, however, the authority of the EU in relationship with the Member States was limited and strictly defined.

To provide a framework for the subsequent parts of this chapter, table 1 gives an overview of the major policy initiatives of the European Community / European Union relevant for higher education, important cases treated by the European Court of Justice, and the programmes and initiatives resulting from the European higher education policy.

Table 1: European Policy Initiatives and Programmes in the Field of Higher Education and Vocational Training

Year	Member States	Policy and Legislation	Programmes	Initiatives
1971	Belgium, France, West-Germany, Italy, Luxembourg, The Netherlands	1st meeting of the Ministers of Education		
1973	Denmark, Ireland, United Kingdom	Janne report		
1974		Dahrendorf report		
1975				CEDEFOP
1976			Action Programme Joint Study Programme Scheme	
1977			Short Study Visit Scheme	
1978				EURYDICE
1981	Greece			
1983		case Forchieri Solemn Declaration on European Union		
1985		case Gravier		
1986	Portugal, Spain		COMETT	
1987		Single European Act	ERASMUS	
1988		case Blaizot	SCIENCE	
1989		case ERASMUS	SPES ACCESS	general system of academic recognition
1990	(East-Germany)		LINGUA TEMPUS	
1991		memoranda case COMETT		
1992			HCM MED-CAMPUS	
1993		Treaty on European Union Ruberti report White Paper on Growth, Comp. and Employment		European Training Foundation
1994			ALFA	
1995	Austria, Finland, Sweden	White Paper	SOCRATES LEONARDO TMR EU-US EU-Canada	
1996		Green Paper	EU-China	European Year of Lifelong Learning
1997		Treaty of Amsterdam Agenda 2000 Towards a Europe of Knowledge	EU-India	
2000			SOCRATES II LEONARDO II TEMPUS III	

1. Moving slowly towards European cooperation in the field of education (1971 - 1983)

1.1. A hesitant start

The ‘founding fathers’ of the European Union (J. Monnet, R. Schumann) believed that the economic integration of the European countries was the stepping stone for bringing about political integration and, accordingly, peace. This ‘political’ view on European integration was however not generally accepted. That is why the Monnet-Schumann plan wanted to establish unity through concrete realisations, aiming at a real solidarity. This plan achieved its first result in 1951, when six countries (Belgium, France, West Germany, Italy, Luxembourg, and the Netherlands) founded the European Coal and Steel Community. The choice for this particular sector was not a coincidence¹. It represented not only the economic importance of this sector, but also its symbolic value, because European conflicts since 1870 strongly focussed on the small area (around the Ruhr) having a high concentration of coal and steel ore. The economic cooperation was further developed in the new sector of atomic energy (the European Atomic Energy Community, 1957) and, more generally, in the form of a customs union (the European Economic Community, 1957).

For years to come, the different views about what should be the ultimate aim of the Communities (only economic cooperation, or a broader integration) would limit their activities to the economic domain. As a consequence, it is no surprise that education was not considered to be a priority for the European Communities. Nevertheless, the founding treaties already contained the basis for later actions in the field of education. This basis was formed by the articles in the treaties concerning vocational training, which received some attention because the level of training of employees could be seen as an economic factor. The Treaty establishing the European Coal and Steel Community mentioned retraining of employees (article 56). The Treaty establishing the European Economic Community (EEC) mentioned the vocational training of farmers (article 41) and of employees (article 118), and also the mutual recognition of academic qualifications (article 57). But the most important article - not yet at that time, but it would be in the early 1980s - was article 128 of the EEC-Treaty, enabling the European Community to lay down general principles on vocational training².

Notwithstanding the strong economic orientation of the Communities, the necessity of cooperation in the field of education, particularly higher education, was acknowledged soon after their establishment (e.g. the Declaration of Bonn in 1961³). But this ‘commitment’ to

educational cooperation did not go further than statements. The Ministers of Education of the EC only met for the first time on 16 November 1971, at the 174th session of the Council, which at the same time was a diplomatic conference of those ministers.

This formula of 'the Council and the Ministers of Education meeting within the Council' expressed the difficult relationship between a developing Community and the sovereignty of the Member States. Because education was not a formal part of the founding treaties, it was not straightforward, legally but neither politically, to cooperate on Community level in this field. With the meetings of the Ministers of Education being diplomatic meetings as well as formal Council meetings, it was possible to have more flexible decision-making procedures than those imposed on the Council in this respect⁴. In this way, the Ministers of Education could discuss all matters and issue resolutions if they liked, without legally binding the Member States (resolutions are merely the expression of a political will of the Member States)⁵. This was important, because not all Member States were willing to extend the powers of the Community into non-treaty areas. France for example stressed its national sovereignty and therefore preferred intergovernmental rather than Community-level cooperation (cf. the inclusion of the European Council, originally established in 1949, in the formal structure of the Communities on proposal of the then French president Giscard d'Estaing).

Before the first meeting of the Council and the Ministers of Education meeting within the Council, some initiatives had already been taken regarding vocational training. In April 1963 the Council issued a Decision laying down general principles for a common policy on vocational training⁶. These principles remained without consequences until July 1971, when the Council adopted general guidelines for a Community-level programme in the field of vocational training⁷. Aiming at improving the scope and the quality of vocational training systems, these guidelines acknowledged for the first time that there is a connection between the economic policy, the social policy and education. At their meeting in November the Ministers of Education argued it was necessary to complement these guidelines on vocational training with cooperation in the field of education. Five items were on the agenda of that first meeting: 1) the mutual recognition of diploma's; 2) the foundation of a European University Institute; 3) cooperation in the field of higher education and secondary education; 4) the foundation of a European centre for educational development; and 5) the foundation of transborder institutions for higher education.

The main result of this meeting was the assessment of a political will to take steps towards the realisation of each of these items. Cooperation in the field of education was still approached

with a lot of reserve. Several reasons account for this. As we already mentioned, on a general level - although the discussion was held in terms of education - the juridical interpretation of the founding treaties posed problems, especially because this was related to political debates about the purpose of the European Communities: Was their goal only economical or also political, social and cultural? In this period, the answer was that political integration was out of the question. The Europe of sovereign states (*Europe des états*) envisaged by the former French president De Gaulle was still prevalent. The political disputes between the Member States regarded the basis of educational agreements (inside or outside the formal EC-structure), the institutional structure (establishing a committee - permanent or ad hoc - with the Commission or with the Council), and the cooperation itself (Community-level or on the level of the Member States)⁸. More specific reasons for the reserve towards European educational cooperation were on the one hand that education systems are primarily nationally oriented and that these differences made cooperation more difficult. On the other hand the opinion sometimes prevailed that cooperation in such fields as education, culture, ... should take place in a broader association (e.g. the Council of Europe)⁹.

In spite of those difficulties, the development of a European educational policy had undeniably taken off. The Heads of State and Government stated at their meeting in Paris in October 1972 that the goal of European Union was not economic expansion as such, but economic expansion as a means to improve the quality of life¹⁰. In February 1973, Henri Janne, an independent expert, presented the report *For a Community Policy in Education*¹¹. It stated that an irreversible recognition of an education dimension of Europe had begun, and that this led to an educational policy at Community level. Furthermore it reiterated the view of the Ministers of Education that the Treaty of Rome (i.e. the EEC-Treaty) could be interpreted in such a way that clauses dealing with vocational training could be extended to cover a wider ambit.

The Commission itself presented draft proposals for the development of Community-level action, e.g. the report of R. Dahrendorf¹², director-general of Directorate General (DG) XII, which was responsible for education since Denmark, Ireland and the UK joined the Community on 1 January 1973. The suggestions of the Commission were presented to the Ministers of Education in June 1974 (the first meeting of the Ministers of Education since the enlargement to 9 Member States). The Ministers of Education agreed¹³ that the cooperation should proceed in progressive stages and that it should apply to specific priority areas (these

areas would reappear in the Resolution of February 1976). Three of these priorities concerned higher education: 1) to increase cooperation between higher education institutions; 2) to improve possibilities for academic recognition of diplomas and periods of study; and 3) to encourage the freedom of movement and mobility of teachers, researchers and students. An ad-hoc Education Committee was installed. It had to draft an action programme and prepare the future activities of the Ministers of Education.

In the field of vocational training CEDEFOP, the European Centre for the Development of Vocational Training, was established in February 1975¹⁴. Its task was threefold: to provide information (developing databases); to support the planning and execution of research in the Member States; and to support the Commission in planning, executing and evaluating the Community action programmes. Nowadays its activities focus on three priorities: communication and information; the analysis of skills and trends in job types; and the analysis of vocational training systems in the Member States.

Notwithstanding the establishment of CEDEFOP, effective action concerning vocational training was limited. According to G. Neave, several reasons account for this¹⁵. First, the Member States did not find public intervention in vocational training a priority. Second, the Commission had no real specific legal basis to act upon. Third, the Commission was limited in terms of staff and financial resources. Moreover, in the Member States the responsibility for vocational training was often dispersed across different Ministries.

1.2. The first action programme

With the fundamental decision of 10 December 1975 at the third meeting of the Ministers of Education meeting within the Council and the formal establishment in 1976 of the first *Action Programme in the field of education*¹⁶, the real start of an educational policy at Community level was given. The action programme comprised six main objectives:

- better facilities for the education and training of nationals and the children of nationals of other Member States of the Communities and of non-member countries;
- promotion of closer relations between educational systems in Europe;
- compilation of up-to-date documentation and statistics on education;
- cooperation in the field of higher education;
- teaching of foreign languages;

- achievement of equal opportunity for free access to all forms of education.

A later resolution¹⁷ added a seventh objective:

- improve the preparation of young people for work and facilitate their transition from education to working life (i.e. the so-called Transition-programme).

The clauses specifically concerning cooperation in the field of higher education focused on the above-mentioned three priority areas. Firstly, an increase in cooperation between higher education institutions was going to be encouraged by the development of: 1) links between organisations representing higher education institutions (e.g. European Society for Engineering Education, Association for Teacher Education in Europe); 2) short study visits; and 3) joint programmes of study or research. Secondly, with regard to mobility, the programme held the initiatives to arrange a discussion on the admission of students, to draw up a report on the extension of national schemes, and to draw up proposals to eliminate obstacles to mobility. Thirdly, to increase the possibility of academic recognition of diplomas and study periods, a report analysing the existing situation and containing proposals for improvement was going to be drawn, and consultations and cooperation organised. At Member State level, the programme called for taking into account periods of teaching or research in the calculation of seniority and pension entitlements.

The *Action Programme in the Field of Education* was a frame agreement and thus was only a first impulse to the development of an educational policy at Community level. Nevertheless, it provided the basis for cooperation in the field of education. It also resulted in a permanent presence of an Education Committee within the decision-making structure of the EC. Moreover, the negotiations about the programmes introduced the habit of regular meetings of the Council and the Ministers of Education meeting within the Council (they met in 1974, 1975 and 1976). Two further remarks have to be made concerning the Action Programme. First it is important to note that from the beginning the educational policy of the Community has been focussed on cooperation and not on harmonisation. Second, although the programme comprised mainly intergovernmental action, the Commission was trusted the enhancement of cooperation in the field of higher education. At the same time, however, one strict condition limited the field of action of the Commission: it had to respect the autonomy of the institutions. On top of this the Action Programme already included the means to be used to achieve its goals regarding higher education.

1.3. Execution of the action programme

Because the *Action Programme in the Field of Education* only provided a framework, executive measures had to be taken in the following years. This turned out to be far from obvious. The Danish government pointed out in 1978¹⁸ that the EC was a purely economic structure only, that education was not part of the treaties, and that therefore the Commission was not competent to act in this field and transfer of national authority to the EC was unthinkable. The agreement reached in the Action Programme - mainly intergovernmental cooperation and only partially cooperation on Community level - was thus endangered. In areas other than higher education the dispute was even more problematic. Several dossiers (teaching about Europe in schools; teaching of foreign languages; teacher training; education and training for the disabled) were almost entirely blocked¹⁹. The meetings of the Council and the Ministers of Education meeting within the Council were postponed until 1980, but a compromise could not be reached. As a result the budget for education in 1981 and 1982 was restricted to the minimal budget needed for among other things the ongoing grant programmes in higher education. Meanwhile, the implementation of the means outlined by the Action Programme regarding higher education had proceeded regarding the following six areas: 1) joint programmes of study; 2) short study visits; 3) the admission to higher education; 4) the academic recognition of diplomas; 5) the European University Institute; 6) information policy.

The first priority area of the action programme, cooperation between higher education institutions, was realised in two schemes: one for the development of joint study programmes, one for short study visits.

The *Joint Study Programme Scheme*²⁰ was designed to promote study abroad programmes at higher education level. It provided Community aid for the development and the implementation of arrangements negotiated between two or more individual higher education institutions in different Member States regarding: 1) student exchange for integrated periods of study; 2) integrated teaching assignments in another Community country for staff members; and 3) joint development of curricular elements for insertion into teaching courses at the participating institutions. The scheme did not provide the maintenance of the projects. This was the responsibility of the institutions concerned.

A survey of joint study programmes²¹ (for the most part in the Federal Republic of Germany, Great Britain and France) showed that in 64% of the programmes study abroad was

completely or largely recognized. The degree of recognition was likely to be high if the study programme and the period abroad were governed by relatively detailed regulations (about what had to be studied, or the exchange procedure itself), and if the study period lasted longer than three months. Foreign language programmes showed a lesser degree of recognition in general and a less clearly regulated exchange process, probably because in practice a different subject -the philology of the native language- is studied.

Given the relatively modest resources available (about 2 million ECU in the academic year 1984/85 to cover programmes in the then ten Member States), the *Joint Study Programme Scheme* has taken the form of a pilot project for other Community action programmes, especially ERASMUS (see § 2.3.).

The *Short Study Visits Scheme* was introduced in 1977²². It enabled individual teachers, researchers, and administrative staff to study particular aspects of the organisation and administration of different systems of higher education and higher education institutions, particularly their relationship with local, regional and national structures. It was not intended to provide individuals with the means of pursuing their personal research. It was meant to increase the long-term possibilities for cooperation between higher education institutions. The Scheme was not limited to academic institutions. Members of national bodies involved in access and admission to higher education were also eligible.

The importance of the Short Study Visits Scheme lay not only in the possibility to gather information or to make personal contacts, but also in its being a first step towards more substantial cooperation. Indeed, many study visits were used to prepare a joint study programme.

The discussion on the admission of students to higher education (priority 2) proceeded with great difficulty. Some countries raised obstacles to the admission of foreign students to higher education (e.g. Belgium, Ireland, and the UK introduced differential fees for foreign students). Therefore, a Community-level solution was sought. But Denmark doubted about the authority of the EC in this area (see above). The Commission then presented three principles for a common approach of the problem, but because the admission policy is not always the responsibility of the national governments, the Council and the Ministers of Education meeting within the Council could only agree on a framework (27 June 1980)²³. The framework advised on numerical limitations, criteria of admission, financial aspects, language proficiency, and administrative procedures.

The third priority area of the action programme, the academic recognition of diplomas, has always been a problematic topic. The programme itself aimed low: drawing a report and organising consultations. Six years later the aims were not much higher. On 24 May 1982 the Member States agreed²⁴ on no more than the drawing up of reports and the dissemination of information, the stimulation of the inclusion of measures in bilateral agreements between Member States, the encouragement of students to study in another Member State when the qualification is recognised, and the stimulation of authorities to adopt a favourable attitude.

A topic that had already been on the agenda in 1971 was the European University Institute. It was officially inaugurated in November 1976 at Florence and had four postgraduate departments (History and Civilisation, Economics, Law, and Political and Social Sciences).

To guarantee the success of inter-governmental schemes and agreements, which rely on voluntary participation, the dissemination of information is crucial. That is why the Commission published (starting from 1977) the *Handbook for the Student* in all official languages of the Member States. Other publications (e.g. *Directory of Higher Education Institutions*) followed. In 1978 EURYDICE was established, the information network on education of the EC (consisting of one European centre and national centres). Its authority was limited to the transition from school to working life, education in foreign languages, training of migrant workers and their family, and regulations and conditions regarding the entrance to universities.

1.4. Conclusion

Solidarity through cooperation. On the basis of this idea three European Communities were established. But right from the beginning one question remained unanswered: what kind of cooperation? The participating countries saw the benefits of economic cooperation. Political integration however was not readily accepted. National sovereignty was highly valued and strongly defended. The scope of the cooperation between the Member States was especially debated when issues were at stake that were not covered by the founding treaties.

Education was one of these domains for which the treaties did not provide much room for a Community policy. Even the articles about vocational training were believed to be limited to laying down some very general principles by the Communities. Nevertheless, at the beginning of the 1970s the Member States wanted to take action in the field of education. This resulted

in the *Action Programme in the Field of Education* of 1976. This programme incorporated the ongoing discussion about the authority of the Communities in non-economic areas. Although it established cooperation in the field of education, the actions were of an intergovernmental nature (i.e. outside the framework of the Communities), with higher education as an exception. But even regarding higher education the initiatives agreed upon were for the main part limited to organising meetings and publishing reports. Moreover, for the few concrete agreements little money was available. On top of this the implementation of the Action Programme was subject to discussion -again- about the right of the Communities to develop Community-level actions regarding education. The result for higher education was that the impact of the schemes proceeding from the Action Programme (the Joint Study Programme Scheme and the Short Study Visit Scheme) was very limited. In retrospect these schemes have only been pilot projects to build up experience for the forthcoming action programmes.

In short, under pressure of the Member States' strong emphasis on national sovereignty the policy of the Communities towards higher education and education in general was limited to a fragmented collection of low-budget measures being taken. This contrasts strongly with the (financial) support granted to a series of research programmes which were mainly aimed at the research and development of new technologies (e.g. FAST²⁵ – Forecasting and Assessment in the Field of Science and Technology) and which had a clear economic goal: to enhance the competitiveness of European industry. This is yet again an indication that the EC in the period up till the mid-1980s was mainly an economical-technical organisation, in which the Member States saw little need for social, cultural or political cooperation.

2. Community-level cooperation in the field of education (1983 - 1992)

2.1. New legal and political insights

From 1983 onwards, the characteristics of the cooperation in the field of education within the European Community changed. Whereas in the previous period this cooperation was limited to inter-governmental actions most of the time, the second phase of execution of the *Action Programme in the Field of Education* increasingly gave rise to Community-level cooperation. This was true for several areas that had been subject to cooperation since 1976, like the transition from school to working life and the position of disadvantaged groups. Also regarding higher education, which had been an exception in that the Commission could (at least in principle) take initiatives in this field, cooperation on the level of the Community was extended.

The European Court of Justice played an important role in this evolution. Whereas educational rights were already granted to migrant workers and their families in the framework of the free movement of workers²⁶, the Court of Justice confirmed the individual educational rights of the European citizens. The basic principle was that discrimination on the ground of nationality is forbidden. In that sense, the Court stated that if a country allowed something to its nationals, it had to give this right equally to all EC-citizens (e.g. the right to provide higher education, the right to work for higher education institutions). In other words, each citizen had an autonomous right to equal treatment as far as access to vocational training was concerned. For people moving to another Member State for the sole purpose of studying, however, this equal treatment could be restricted by general conditions of access (e.g. study qualifications, language proficiency). Only access conditions based on nationality were forbidden. The affirmation of this principle in a series of judgements broadened the legal basis of the cooperation in the field of education, because the Court of Justice interpreted the notion of 'vocational training' in the sense of article 128 of the EEC-Treaty in a broad way. In the cases 'Forchieri'²⁷ and 'Gravier'²⁸ the Court stated that the admission to, and the conditions of the admission to vocational training were subject of the EEC-Treaty. In the case 'Blaisot'²⁹ it confirmed that university studies can be regarded as a form of vocational training. These judgements laid down the authority of the EC and hence the right of initiative of the Commission in the field of education and thus cleared the way for large Community programmes, especially in the field of cooperation in higher education and the development of a common policy on vocational training.

Although very important, the legislation of the European Court of Justice was not the only factor that accounted for the evolution towards Community-level cooperation in the field of education. In this period, cooperation regarding education was closely related to the general process of integration of the EC. The idea that economic integration as such could not guarantee the support of the European citizens gained weight. Accompanying measures had to be taken, among others in the area of education. This was expressed in several political statements. The European Council of 21 / 22 March 1983 in Brussels declared to be in favour of the promotion of mobility by the academic recognition of diploma's and study results³⁰. On the next meeting of the European Council (Frankfurt, 19 June 1983) the *Solemn Declaration on European Union* was adopted³¹. One of the many agreements between the Heads of State and Government was to promote closer cooperation between higher education institutions, including the exchange of teachers and students. A series of Resolutions of the Council and the Ministers of Education meeting within the Council adopted on 2 June of that same year³² determined that the objective of cooperation in the field of higher education should focus on the promotion of the free movement and mobility of teachers, students and researchers. On the next two meetings of the Council and the Ministers of Education meeting within the Council the willingness to extend the intergovernmental cooperation and the complementary function of the EC-initiatives compared to national initiatives, gradually increased. The basic principle for the development of the incentive programmes COMETT and ERASMUS were laid down (see § 1.3.).

Following this political insight of both the European Council and the Council and the Ministers of Education meeting within the Council in the need for other than purely economic measures, and taking advantage of the possibilities granted by the legislation of the Court of Justice, the Commission proposed to develop programmes aimed at 1) the promotion of cooperation between higher education institutions and between these institutions and business as far as technological training is concerned; and 2) the promotion of the mobility of students, teachers and researchers. This led to the Community-level action programmes COMETT and ERASMUS.

2.2. COMETT

The *Programme on Cooperation between Universities and Enterprises regarding Training in the Field of Technology* (COMETT)³³ was the first major Community action programme in

the field of education. It was adopted on 24 July 1986 for a four-year period, comprising a preparatory phase (1986) and an operational phase (1987 to 1989), with a budget of 45 million ECU. COMETT aimed at increasing the cooperation between higher education institutions and industry with respect to a high-level training in new technologies. More specific goals were to give a European dimension to the cooperation between universities and enterprises; to foster the joint development of training programmes and the optimum use of training resources; to improve the supply of training; and to develop the level of training in response to technological and social changes.

The COMETT programme comprised a range of transnational projects to strengthen and encourage cooperation between universities and enterprises within a European framework in regard to both initial and ongoing training. Note that for the purpose of the COMETT programme the term ‘university’ covered all types of post-secondary education and training establishments, whatever their name in the Member States (a definition that was used in the later programmes as well). The term ‘enterprise’ indicated all types of economic activity, whatever their legal status or the manner of applying new technologies.

The COMETT programme supported:

- a) The setting-up and development of a *European network* of university-enterprise training partnerships (UETPs), having as objective transnational cooperation in the field of training, technical assistance, monitoring and evaluation.
- b) *Transnational exchanges* through grants for trainees (including new graduates) undergoing periods of training in companies established in other Member States, fellowships for university staff seconded to companies in other Member States, and fellowships for staff of companies seconded to universities. The Community’s financial contribution covered mobility costs, costs of organising the activities and costs of language courses for beneficiaries.
- c) The devising, developing and testing of *joint projects for ongoing training* at European level in fields related to new technologies.
- d) Multilateral initiatives for developing *multimedia training systems*, using new information and communication technologies.
- e) The exchange of information, experience, research results and so on.

The programme was extended into a second phase on 16 December 1988³⁴. The overall objectives and supported activities remained the same, but as a result of the success of the

programme the duration was increased to 5 years and the budget raised from 45 to 250 million ECU. The focus shifted from advanced training to initial training. Moreover, COMETT II was centred more around transnational networks for projects regarding training, particularly in the field of advanced technology, and responded more to the specific needs of small and medium-sized enterprises (SMEs).

An important difference between the two phases of COMETT was the legal basis. COMETT I was based on articles 128 and 235 of the EEC-Treaty and Decision 63/266/EEC of 2 April 1963, whereas COMETT II was only based on article 128. This difference indicates a change in the decision-making procedure. To take a decision on subjects relating to article 128, the co-decision procedure had to be followed³⁵. Article 235 provided the EC with the possibility to take actions on fields not specified in the treaties, but necessary for the operation of the common market. Whenever the legal basis of a programme was uncertain, this article was added to guarantee its legality. But this meant that the Council had to act unanimously, a situation that left more power with the Member States than did the co-decision procedure. Therefore, Member States fearing to lose too much authority over a certain programme, often argued that that programme had to be based on article 235.

When the Commission proposed to apply only article 128 for the establishment of COMETT II, France, Germany and the UK started an appeal procedure at the Court of Justice to ask for the nullification of the programme³⁶. In their opinion the programme contained measures that were not about vocational training but about research and technological development. Moreover, they argued that it also contained measures in the field of advanced training. Therefore, they concluded that the authority of the Council with respect to this programme could not be legally based on article 128 of the EEC-Treaty alone. The Court of Justice overruled their arguments³⁷. The Court stated that the programme concerned initial and advanced training and thus was complementary to other research activities, and that article 128 did not make a difference between initial and advanced training.

The results of the COMETT programme in terms of participation figures were satisfying. In the first phase of the programme (1986 - 1989) more than 1,300 projects were launched throughout the EC. These involved more than 6,000 enterprises, 1,500 universities, and 1,000 other types of organisations. 125 UETPs, more than 4,000 traineeships for students in enterprises, and 232 grants for exchanges of staff between universities and enterprises were established. In addition, 329 joint ongoing training projects and initiatives for developing multi-media training were financed.

As we already mentioned, these results were perceived as a success and consequently the budget for the second phase of COMETT was increased considerably. That allowed some 3,000 projects to be established. Within these projects, 2,000 UETPs were created, 40,000 transnational exchanges and 10,000 advanced training courses organised, and more than 4,500 training materials (often based on software or video) developed. The total number of participating higher education institutions exceeded 30,000. More than 20,000 enterprises (mostly SMEs) and 5,000 other types of organisations were involved. Throughout the programme, the spread of participation among the European countries, and the representation of technology-related sectors became more balanced. Although this impressive growth in the number of projects approved is quite impressive, demand could only be satisfied for 10 to 15 % in spite of the strong increase in the budget for the second phase.

2.3. ERASMUS

One year after the decision establishing COMETT, the decision establishing the *European Action Scheme for the Mobility of University Students* (ERASMUS) was approved³⁸. Because ERASMUS has become the 'flagship of the EC educational programmes', we will discuss its evolution and evaluation in more detail. But first we point out the disagreement about the legal basis of the programme. The Council, supported by the UK, Germany and France, stated that article 128 of the EEC-Treaty did not allow the Council to take measures that go beyond the initial stages of a vocational training policy. ERASMUS included stimulation measures. Therefore, the Council added article 235 to the legal basis of the programme. On 7 August 1987 the Commission started an appeal procedure at the Court of Justice against the addition of article 235³⁹.

In the ERASMUS-case⁴⁰ the Court of Justice ruled that article 128 did provide the legal basis for Community-level action by the Council, because all means that are necessary to execute the common policy intended by this article could not be withheld from the Community. But the Court also stated that the ERASMUS-programme comprised measures not only regarding vocational training but also scientific research, and therefore article 128 of the EEC-Treaty was not a solid legal basis. In the end the Commission had lost its case but gained its suit: it had to accept the addition of article 235, but only because the programme comprised action in the field of scientific research. This meant that the Court followed the Commission in the broad interpretation of article 128 of the EEC-Treaty. As a consequence, when the second phase of ERASMUS was approved on 14 December 1989⁴¹, it was only based on article 128.

The first phase of ERASMUS ran from 1 July 1987 to 30 June 1990. During this period an amount of 85 million ECU was available. Compared to the educational budget available before the start of ERASMUS, the yearly amount was ten times higher now. The ERASMUS budget was used to reach the following objectives:

- to achieve a significant increase in the number of university students (i.e. all higher education students) spending an integrated period of study in another Member State, in order to create an adequate pool of manpower with first-hand experience of economic and social aspects of other Member States;
- to promote cooperation between universities;
- to increase mobility of staff and thereby improving the quality of education and training with a view to securing the competitiveness of the Community;
- to strengthen the interaction between citizens with a view to consolidating the concept of a People's Europe;
- to ensure the development of a pool of graduates with direct experience of intra-Community cooperation.

Surprisingly, the decision on ERASMUS contained a call on the Member States to support activities helping to establish the goals of ERASMUS. This was unusual, because in general the Member States could only agree that Community-level action was complementary to national actions, and not the other way round.

In order to meet the objectives set out for the programme, ERASMUS was focused on four actions.

Action 1 aimed at creating a *European university network*. Hence it provided support for Inter-university Cooperation Programmes (ICPs). An ICP consists of universities of several Member States who conclude agreements for exchanges of students and thereby fully recognise study periods accomplished outside the home university as an integral part of the student's diploma or academic qualification. An ICP can also include teacher exchange and cooperation.

Action 2 was the *student grants scheme*, which gave direct financial support (2,000 ECU on average, 5,000 ECU maximum) to students carrying out a period of study in another Member State, under the following conditions:

- the grants had to support mobility costs (travel costs, cost of language study, higher cost

of living in the host country);

- students of universities part of the European university network received priority;
- the period of study had to be granted full recognition by the home university;
- no tuition fees could be charged by the host university (only by the home university);
- the normal duration of a period of study was between one term or semester minimum and one year maximum; the period could not be part of the first year of university study;
- maintenance grants available to a student in his own country had to be paid to ERASMUS students during their period of study at the host university.

Whereas the administration of the other actions in the ERASMUS programme was carried out by the ERASMUS Bureau (an autonomous body of the European Cultural Foundation), the student mobility grants were administered and distributed by National Grant Awarding Authorities (NGAAs). In this way, limits to the amount of grant for individual students could be introduced on the national level. The NGAAs also took care of national supplementary grant schemes (such schemes existed in France, Spain, Italy, and Belgium).

Action 3 focused on *the academic recognition of diplomas and periods of study*, that was, as we have said earlier, a problematic topic. This explains why action 3 was only a modest attempt to bring the academic recognition within reach. The aims were to promote joint curriculum development on a voluntary basis between universities in several Member States, to introduce the ECTS and to develop the NARIC.

The ECTS (European Community Course Credit Transfer System) was a pilot project for testing a mechanism of transfer of study credits between higher education institutions. Voluntarily participating institutions had to award 60 credits per year of each course, subdivided according to the student workload of the course units. When moving to a partner institution, the student received full recognition of the work carried out and the home institution could easily compare the learning achievements.

The NARIC (Network for Academic Recognition Information Centres) consisted of national centres responsible for providing institutions and citizens with information on higher education systems and qualifications.

Action 4 consisted of *complementary measures*, i.e. support for the organisation of short intensive programmes involving students from several Member States, university associations and consortia acting on a European basis, publications, and prizes.

The second phase of ERASMUS began on 1 January 1991 (1 July for the student grants scheme). The programme was now open for students up to doctorate level. The total number of students eligible for support was increased from 1 to 10 % of the total number of EC-students. EFTA-countries could participate from 1992-1993 onwards. Although the content of the programme didn't change much, marked differences were the attention paid to the study of language and to the organisation of short intensive courses (formerly, this was a complementary measure). Also important was the increase in the budget. It was raised to 192 million ECU for the first three years of the five-year phase. The following years the increase in the budget slowed down (97 million ECU in 1992-1993, 98 million ECU in 1993-1994).

We will now discuss the results of the ERASMUS evaluation project of the Gesamthochschule Kassel⁴². This project first provides us with information about the actual numbers of ICPs, partner units and institutions (Table 1), and the number of students in ERASMUS, LINGUA (Action II) and the ECTS (Table 2).

Table 1. Actual number of ICPs, partner units, and institutions in ERASMUS

	1987/88	1993-94
ICPs	293	2,228
partner units	823	13,184
institutions	416	1,458
average number of students per ICP	11.1	26.7
average number of students per institution	7.8	41.1

Table 2. Actual number of students in ERASMUS, LINGUA (Action II), and ECTS ⁴³

	students in ICPs		free-movers		ECTS	Total
	ERASMUS	LINGUA (Action II)	ERASMUS	LINGUA (Action II)		
1987/88	3,244	-	-	-	-	3,244
1988/89	9,330	-	584	-	-	9,914
1989/90	18,354	-	615	-	487	19,456
1990/91	25,835	1,095	391	-	585	27,906
1991/92	32,160	2,685	719	50	700	36,314
1992/93	44,335	4,453	1,527	39	1,340	51,694
1993/94	54,379	5,161	1,383	26	1,413	62,362

These figures have increased continuously in the eight years of the ERASMUS programme and thus clearly indicate why ERASMUS is called an unprecedented success. In the Kassel evaluation report, this success is described as follows: "Not only has it stimulated and reinforced enthusiasm; temporary student mobility has become a regular feature of higher

education in Europe, and dedicated academic and administrative measures for Europeanisation and internationalisation of higher education are generally viewed now as essential for a dynamic institution of higher education. ERASMUS has turned out to be a mobilising mobility programme"⁴⁴.

The surveys of those responsible for ERASMUS in the higher education institutions carried out by the Kassel team indeed show that ERASMUS funding was highly appreciated to trigger international mobility and cooperation. The relatively little amount of financial support resulted in many activities. Moreover, the basic philosophy of ERASMUS (emphasis on temporary learning abroad, commitment to curricular integration, preference for highly organised study abroad, ...) became widely accepted.

On the other hand, six major issues of concern were reported too:

- the need for complementary resources (but also the overall level of funds and the level of support for the institutions);
- the late arrival of both the decision about the award and the award itself;
- difficulties in establishing cooperation with partners in other European countries;
- the overall administrative load;
- the detailed policies and practices imposed by ERASMUS;
- the continuity of support: it was felt that not only the start-up and implementation, but also the consolidation should be (permanently) supported.

The evaluation team came across other problems encountered by ERASMUS too. The available funds were not sufficient to provide financial support for all students eligible according to the award decision and the distribution formulas did not provide an equal support in relation to the additional costs abroad for all students. Two language problems occurred: countries with a widely known language (notably Great Britain) received an uneven high number of students; half of the ERASMUS students reported that their knowledge level of the foreign language was too low for successful academic learning abroad. As in the JSP scheme, formalized recognition procedures and study abroad periods of more than six months produced more positive results. Staff exchange was not highly valued. Many students expected and actually experienced a prolongation of their overall period of study by almost half of the study period abroad.

ERASMUS did not reach its quantitative goal of allowing 10 percent of higher education

students to have a study experience abroad. Although the number of students increased from about 3,200 in 1987-88 to about 62,000 in 1993-94 (see Table 2), the aim was to reach about 150,000. Moreover, in the total number of foreign students at higher education institutions, the ERASMUS students remained a minority. On top of this, mobility on a small scale was the dominant pattern ("more than one-third of the partner units involved sent and received only one or two students per year and a further third only three or five students" ⁴⁵), although less at the later stages, when centralisation increased too and "the success of ERASMUS (was) less often dependent on the all-round activity of a devoted local director" ⁴⁶.

The main result of ERASMUS seems to be a change in the attitudes towards internationalisation and Europeanisation, in general but especially of the students. Former ERASMUS students opted more than average for continuing study or advanced professional training, and subsequently for working or studying abroad. They report that not so much their academic progress as such, but the broadening of their cultural horizon and their language proficiency are the most positive features of their European experience.

Finally, the evaluation of ERASMUS discerned 'good practices' that produced positive results and will be important in the future: high quality academic linguistic preparation and assistance during the period of foreign study; a broad range of activities undertaken jointly; and curricular development.

2.4. The Single European Act

As stated before, the Community action programmes COMETT and ERASMUS did not come out of the blue, but must be seen in relation with more general evolutions in the EC, i.e. the attempt to give a new impulse to the European integration process. The involvement of the European citizens appeared to be low (e.g. the voter turn-out for the direct elections of the European Parliament was low and decreased). The opinion grew that the EC had to be more than a purely economic, technocratic organisation and that progress had to be made to cooperate in non-economic areas as well. This was also the conclusion of the 'ad-hoc committee on a People's Europe' (the Adonnino Committee), which was charged (together with the committee on institutional reform or Dooge Committee) with the preparation of the IGC in 1985. Although the Member States at first could not reach agreement on among other things the elaboration of the powers of the European Parliament and the social cohesion, the *Single European Act* was signed in February 1986 and took effect on 1 July 1987⁴⁷. The Act

was the first comprehensive revision of the founding treaties, especially the EEC-Treaty. It comprised the completion of the internal market in 1992, institutional reforms (among other things, the introduction of the cooperation procedure⁴⁸), the introduction of new policy areas (such as social policy, economic and social coherence, research and technological development) and closer cooperation in foreign-policy matters. The Act recognised that the completion of the internal market depended, among other things, on the improvement of the human resources of the Community.

In the light of the Single European Act and the then ongoing reform of the Structural Funds (which are aimed at eliminating structural and regional disparities, and which focused from 1988 onwards, among other things on combating long-term unemployment and improving training opportunities for young people), the Commission unfolded a new point of view regarding education and training⁴⁹. Both education and training were now seen as contributing to the economic and social coherence of the Community. The new policy of improving 'coherence' held the free movement of persons, the development of the economically less favoured regions, the preparation of young people for their entrance in the labour market, the reduction of long-lasting unemployment, and the enhancement of technological cooperation. The Commission clearly attached greater significance to vocational training than to education. Nevertheless, by preparing the future labour force for working life, the development of human resources through education could also contribute to the establishment of the internal market. Later the Commission introduced the principles of diversity and subsidiarity⁵⁰. The former is an expression of the reserve that the EC has always had against harmonisation. This means that, although a certain functional coherence between the different education systems of the Member States is unavoidable, a greater degree of convergence must be achieved while respecting the diversity of the national education systems. The principle of subsidiarity states that decisions need to be made as closely to the citizens as possible; power has to be allocated to that level that is best suited to achieve a certain objective. In the field of education these principles are an explicit confirmation of the authority of the Member States regarding the structure of the national education systems and the content of education. In the implementation of the Community programmes, they show in the decentral organisation, in the form of on the one hand an advisory committee (to assist the Commission) for each programme, made up of national representatives, and on the other hand specific bodies in the structure of each programme (for example the NGAAs, the NARIC-centres).

The Council and the Ministers of Education meeting within the Council discussed these new ideas and agreed on the main lines of policy to be followed by the Member States, and on a Community policy, and the means for this policy⁵¹. The Community policy would be based on five objectives: Europe should be pluri-cultural and open to the world, it should guarantee training for all, and should create more opportunities for mobility and the acquisition of skills. The Education Committee was charged to evaluate proposals of the Commission in the light of these objectives and means, to promote the exchange of information, and to seek other possibilities to enlarge cooperation, thereby taking into account the need for efficient management and the limitation of available financial means. To guarantee the adequate use of the limited amount of money available, the Council decided in 1992⁵² that all new Community-level programmes have to be evaluated by explicit criteria regarding the objectives, means and results of these programmes and the financial means dedicated to these programmes.

Given the need for cooperation in non-economic areas and taking into account the success of the programmes COMETT and ERASMUS right from the beginning, new action programmes were soon developed.

The action JEAN MONNET⁵³ supported initiatives of higher education institutions regarding education and research about the European integration. First established in 1989 for a period of three years, it was continued ever since. The programme envisages providing financial aid for the creation of Jean Monnet Chairs devoted to European integration studies (especially in the areas of law, economics, political and social sciences, and history), for the development of permanent courses and European modules, and since 1998 for Jean Monnet Centres of Excellence (i.e. a pool of resources relating to European integration issues). In the period 1990-1998 the JEAN MONNET programme has contributed to the establishment of 1,722 new university projects concerning education on European integration.

But more important were the programmes LINGUA and TEMPUS, which were conceived as complements to ERASMUS, in the field of language proficiency and cooperation with Eastern and Central Europe respectively (see § 2.5. and § 2.6.1.).

Another development was the revived attention for the recognition of diplomas and study periods. The academic recognition of diplomas and study periods remained problematic. The COMETT-programme included transborder work placements in firms in other Member

States, bringing about academic recognition. The ERASMUS-programme took up the further development of the NARIC and established the ECTS. But the success of these measures was entirely dependant on the voluntary participation of the institutions.

But as far as the recognition of diplomas for professional purposes was concerned, the introduction in 1989 of a general system of recognition was an important step forward⁵⁴. Before, only specific diplomas (medical and paramedical professions, architects) were recognised by EC directives. Now a system came into existence that allowed every citizen of the Community to practice his/her profession in each Member State, regardless of where s/he had gained the higher education diploma. This general system applied to all professions requiring a higher education training of at least three years, which were not covered by specific directives. Although recognition was the basic principle, the system provided the possible exception, in case of important differences between education systems or the organisation of the profession, of recognition after compensation in the form of an adaptation period, an aptitude test or the requirement of professional experience. In 1992 this system was elaborated to higher education of less than three years (post-secondary and secondary courses)⁵⁵. In both cases it took some years - far beyond the actual implementation period - before they were translated into national legislation by the Member States. This was not the first nor the last time that required changes in the relevant legislation - even after judgements of the European Court of Justice⁵⁶ - were not, or not in time, carried out by the Member States.

2.5. LINGUA

The LINGUA programme started on 1 January 1990 and continued for a period of five years⁵⁷. For the implementation 200 million ECU was provided. The main aim of LINGUA was to improve both quantitatively and qualitatively the knowledge of foreign languages, in order to promote the communication proficiency within the Community. 'Foreign' languages must be understood as the languages of EC-countries taught as a foreign language.

The LINGUA programme comprised five actions, of which Action II focused on higher education. This action provided grants for inter-university cooperation programmes (ICPs), individual students and teachers, in order to promote the mobility and exchange of foreign language students and, particularly, the initial training of future foreign language teachers. Action II of LINGUA supplemented two ERASMUS actions as far as the learning of foreign languages was concerned: the European university network of ICPs, and the grant system for the mobility and exchange of students and teachers. Hence it comprised three measures, to be

taken as a complement to national measures: financial support for ICPs, grants for individual students, and grants for the mobility of teachers and administrators.

The first measure of Action II was to finance *inter-university cooperation programmes* (ICPs) providing students with the possibility to have a recognised study period in a Member State of which they are studying the language, as an integral part of their course.

For an average of minimum 2,000 ECU and maximum 5,000 ECU per year, Action II provided *grants for students* who study a foreign language as principal or subsidiary subject and spend a study period in another Member State, normally within the framework of the European university network. Priority was granted to future foreign language teachers and to students following courses to learn the least widely used and least widely taught languages of the EC.

Grants for teachers and administrators aimed at encouraging them to prepare ICPs or pilot projects; to create the appropriate conditions for the exchange of students and the recognition of diplomas; to develop integrated courses; to enable teachers to teach in (an)other Member State(s); or to exchange experience and have a European experience themselves.

Like ERASMUS, LINGUA was an increasing success (see Tables 1 and 2 in § 2.3.). Over five years (including the preparatory year 1990, in which no more than the necessary infrastructure and information campaigns were established) the programme has brought mobility to some 120,000 young people, 30,000 students (through ICPs), and 30,000 teachers.

Remarkable about LINGUA are the differences between the proposal as it was originally proposed by the Commission and the programme as it was finally adopted by the Council. The aim 'enhancement of foreign language instruction' was changed in 'enhancement of the knowledge of foreign languages' to stress that the content of education and the organisation of education systems are the exclusive competence of the Member States. The clauses regarding school exchanges were left out on demand of the UK and Germany because these countries found that they interfered with general educational policy.

2.6. Co-operation with third countries

2.6.1. TEMPUS

The *Trans-European Mobility Programme for University Studies* (TEMPUS)⁵⁸ can be roughly described as having the same goals as ERASMUS, but focused on mobility between Eastern and Western Europe. It implemented, together with the Regulation on the European Training Foundation⁵⁹, as far as education was concerned, Regulation 3906/89/EEC concerning economic support to Poland and Hungary⁶⁰. Accordingly, the programme was limited at first to Poland and Hungary, but was later extended to other Eastern and Central European countries (Albania, Bulgaria, Estonia, Latvia, Lithuania, Rumania, the Slovak Republic, Slovenia, and the Czech Republic). A second extension (in TEMPUS II) concerned countries of the ex-Soviet Union, within the framework of the TACIS-programme. These were the republics of Russia, Belarus, and Ukraine (from 1993 onwards) and the republics of Moldova, Kazakhstan, Uzbekistan, and Kyrgyzstan (from 1994 onwards).

TEMPUS contained three actions:

Joint European projects (JEPs) comprised, as far as possible, at least one university or enterprise from an eligible country, and partner institutions in at least two Member States. A JEP could be linked to existing networks. JEP grants could be awarded for a wide range of activities according to the needs of the institutions concerned, such as development of integrated study courses and teaching materials, distance learning and training and retraining of teachers.

Action 2 held a *mobility grants scheme* for direct financial support of students up to and including doctorate level from eligible countries, for a period (three months up to one academic year) of full-time study at a university in a Member State. Priority was given to students whose studies were part of a JEP, or who intended to become teachers or trainers on their return. The Community could also provide grants to students from universities in the Community to spend a period of study in a university of an eligible country.

Next to the student grants, Action 2 also contained support for teaching or training assignments and industrial or practical placements in Member States and in eligible countries. Moreover, it provided support for short visit (one week to one month) grants for teachers, trainers, university administrators and other training experts in order to carry out various activities such as, in particular, preparing JEPs.

All types of mobility grants included support to improve the proficiency in foreign languages of the candidates where necessary.

The *complementary activities* of Action 3 related to projects involving exchanges of young people, participation of eligible countries in activities of European (university) associations, information activities (e.g. publications), and so on.

Whereas TEMPUS was established for a trial period of three years (later extended with one year), beginning 1 July 1990, TEMPUS II was adopted for a period of six years, commencing 1 July 1994⁶¹. Some changes were made compared to the first phase. The duration of JEPs was restricted to maximum three years, and their composition had to comprise at least one university from an eligible country, one university of a Member State and one partner organisation (university or enterprise) from another Member State. Grants were provided for a specified number of measures with a structural or supplementary goal (technical assistance, seminars, studies, publications, and information activities). Apart from this, individual grants were provided for teachers, trainers, administrators of universities and other teaching or training experts, for visits to improve the quality, development and restructuring of the higher education and higher vocational training in the eligible countries.

The most perceptible result of the TEMPUS programme has been the introduction of innovations in the university curricula, including the preparation of new courses, new teaching material and new teaching methods. Being closely linked to the PHARE and TACIS programmes, TEMPUS has been able to become more structural and strategic in its objectives, to increase the involvement of the partner countries, and to determine projects according to national priorities. The Commission therefore stated in its interim report⁶² that "the projects supported by TEMPUS can be considered by and large as successful and important for the development of higher education in the CEE partner countries."

2.6.2. Other initiatives

The cooperation with third countries in the field of education was not limited to TEMPUS. Towards other European countries (i.e. the EFTA-countries and Liechtenstein), the cooperation took the shape of allowing those countries to participate in the action programmes COMETT and ERASMUS.

Within the framework of PHARE, the European Training Foundation was established in Turin⁶³. The Foundation has three goals: 1) to support vocational training reform in Central and Eastern Europe, in the New Independent States and the Mediterranean countries; improve higher education; 2) to promote cooperation between the EC and the partner countries in the

field of vocational training; and 3) to coordinate the support of the EC, the Member States and other international donor assistance. Its sphere of action is the initial and advanced training (especially management-training) of young people and adults.

Outside Europe cooperation was established with the ACP-countries, the USA, Canada, and the Mediterranean countries.

The first Lomé Convention with the African-Caribbean-Pacific (ACP) countries was signed on 28 February 1975. Since then, new conventions were regularly agreed upon (the fourth was signed on 15 December 1989 and entered into force on 1 September 1991). Cooperation with the ACP countries involved scholarships for students, the provision of instructors, trainers, seminars and teaching materials, and cooperation between higher education institutions (in the form of institutional links and exchange of staff).

The EC, the USA, and Canada reached agreement on a Joint Statement (22 November 1990) on common goals and principles, cooperation, and consultation. One of the areas of cooperation was education, including the exchange of academics and young people. As far as higher education was concerned, a study group was established to seek for the possibilities of cooperation. A further proposition was to support model or demonstration projects. A fundamental agreement on the enhancement of the cooperation and exchange between American and European universities was signed on 20 May 1993 in Washington.

In 1992 the programme MED-CAMPUS was established to enhance the cooperation between the EC and the Mediterranean countries (Algeria, Egypt, Israel, Jordan, Lebanon, Cyprus, Malta, Morocco, Syria, Tunisia, Turkey, and the Occupied Territories). The programme intends to improve the exchange of information and experience between higher education institutions (preferably within networks), the enhancement of higher education structures, the strengthening of the ties between higher education institutions and local firms, and a deepening and widening of cultural bonds. Focussing on the themes of management and development, the programme is aimed at the initial and advanced training of university teachers, administrators and technical personnel, and at intensive short-term practical training.

2.7. Three memoranda

The general lines of policy were further developed in a series of memoranda, published by the Commission at the end of 1991. With the completion of the internal market close at hand, and the realisation of the monetary union (EMU) on the tracks, the Commission saw a necessity for students to have a broader knowledge of the processes of European cooperation and integration. The action JEAN MONNET (see § 2.4.) was already established with this

problem in mind. The three memoranda (on higher education, on vocational training, and on open and distance learning) now wanted to open a discussion on the growing need of the EU after '1992' for students with a European experience (i.e. experience with working or living in another Member State, language proficiency etc.).

The *Memorandum on Higher Education in the European Community*⁶⁴ opened the debate on the preparation of the national education systems for the forthcoming economic, monetary and political unification on the one hand, and the desire of several countries to join the EC on the other hand. The memorandum also aimed at stimulating the discussion between higher education and industry.

According to the Commission, these future changes would result in an increasing demand by industry for (flexible) individuals with increased knowledge and advanced skills. Education, particularly higher education, must be able to provide the industry with the high-quality skilled labourers it demands. Therefore, the Memorandum on Higher Education in the EC raised the following issues to be considered by higher education institutions:

- dismantling barriers to student mobility and enhancing incentives in broader ways than the action programmes COMETT, ERASMUS and LINGUA do;
- establishing cooperation between higher education institutions on a European level, in order to create a European experience for students who do not have the opportunity to study abroad;
- acknowledging the central importance of language, by developing other actions than LINGUA;
- offering teachers a European experience (i.e. training in another Member State);
- developing a mechanism for recognition of diplomas and study periods, with the ECTS and inter-university agreements as a basis;
- preparing higher education for its international role;
- Analysing information and policy at Community level.

Accompanying the memorandum on higher education, the Commission brought forward the *Memorandum on Vocational Training in the EC in the nineties*⁶⁵. Observing the globalising of the economy and the technological changes accompanying this, the memorandum states that the establishment of a European area for education and training can make a positive contribution to cope with the consequences of the economic changes, as there are the changing organisation of work, the increasing demand for skilled and flexible workers,

mobility within and migration towards the Union. In the view of the Commission, a qualitatively better (advanced) training of young people, particularly women, based on cooperation agreements between Member States, is necessary to push back long lasting unemployment, to improve those skills of which there are shortages, and because of the demographic evolution (less young people who have to support a growing number of non-actives). An equilibrium has to be found between investment in R&D and investment in training of the work force.

The third memorandum that was published at the end of 1991, was the '*Memorandum on Open and Distance Learning in the European Community*'⁶⁶. It ascribed several advantages to open and distance learning. It can for example improve the level of skills and therefore the success on the labour market, make entrance to education easier for people in less developed regions, and can have an effect on both the quality of existing training programmes and the European dimension of these programmes (through education in another Member State). Therefore, although taking account of the (initial) high costs of open and distance learning, the Commission suggested to cope with the shortcomings that remained unsolved: the inadequate development of the structures of open and distance learning; the limited supply of courses; and the bad adaptation of the level of the courses to the needs of those involved.

As expected, the three memoranda led to a discussion in the Member States about the problem areas set forth by the memoranda. Also in the institutions of the EC the future activities regarding (higher) education were discussed. The Commission thus reached its goal of ensuring that the problem areas it had focused on, would be addressed. One of the responses to the Memoranda, stated by several Member States, was that instead of increasing the number of activities, in the future more selectivity and concentration of activities had to take place. Furthermore, the need for subsidiarity was stressed by the Member States to prevent the EC to increase its involvement. Particularly Denmark, Germany and the UK resented a possible loss of national sovereignty, a feeling that is strengthened by their special relations with non-Member States (the British Commonwealth, Scandinavian countries) or by the autonomy of other state bodies (the German *Länder*)⁶⁷. On the basis of these and other outcomes of the discussions, the Commission issued a working paper on 5 May 1993, setting out guidelines for action in the field of education and training⁶⁸. This was the first document that contained propositions regarding the rationalisation and reorganisation of the existing actions and programmes in the light of the general policy on education and training. The

Commission at that time proposed to incorporate these actions and programmes in two encompassing programmes: one regarding institutions of higher education, the other dealing with training and qualifications.

We see here, and in certain aspects of the memoranda (broader actions than the existing ones, stress on open and distance learning, a European experience for non-mobile students, ...) the prefiguration of what later would become the programmes SOCRATES and LEONARDO.

2.8. SCIENCE, SPES and ACCESS

An area of Community activities not mentioned thus far, is the field of Research and Technological Development (RTD). Nevertheless the framework programmes for RTD concern higher education institutions too, and include provisions for training of researchers (because the ever growing need for RTD requires researchers who are highly and continuously trained). Moreover, the budgets made available for these programmes are considerably higher than those for education, making their training provisions important notwithstanding that they are only a small part of the programmes. We will therefore give a short description of those programmes within the RTD framework programmes which include training provisions.

The First Framework Programme (1984-1988) coordinated initiatives in the field of RTD. It was quantitatively limited. Part of the actions established concerned grants for scientific and technical training, and exchange and mobility of, among others, researchers in training and research centres. For example, FAST was established within this Framework.

The Second Framework Programme (1987-1992) wanted to stimulate European scientific and technical cooperation and exchange. Therefore three programmes were launched: SCIENCE, SPES, and Access to large scale facilities.

The programme *Stimulation des Coopérations Internationales et des Echanges Nécessaires aux Chercheurs en Europe* (SCIENCE)⁶⁹ provided 167 million ECU for the period 1988 to 1992, to promote international cooperation and exchange of European researchers in the exact and natural sciences. Hence it wanted to improve the efficiency of the scientific and technological research in all Member States and to decrease the differences between them. Specific goals of SCIENCE were:

- to promote training through research and better use of researchers;

- to enhance the mobility of researchers;
- to support intra-European high-quality scientific and technological cooperation projects;
- to promote the establishment of intra-European cooperation and exchange networks.

To achieve these goals, financial support was granted to researchers, laboratories and projects. In that way, researchers could have supplementary training (between 1 and 2 year) through research in another Member State. Individual laboratories gained the necessary resources to transfer a researcher or scientist to another Member State, or to let a graduated scientist specialise (in the form of a short stay for an experiment, or attending courses on a high level) before employing him/her in a research centre of a university or an enterprise. Cooperation networks of laboratories in different Member States were enabled to make contacts, do joint experiments, exchange results, buy materials, or employ a (foreign) researcher. Finally, multi-disciplinary and multi-national projects were provided with sufficient resources for the implementation of the projects, and could make an appeal on experts.

In the field of economics the *Stimulation Plan for Economic Science* (SPES), a plan similar to SCIENCE, was launched⁷⁰. It had 6 million ECU available for a period of 4 years, beginning on 1 January 1989. Its general goal was the establishment of a network of cooperation and exchange between highly qualified economists. More specific, it stimulated the mobility of economists and cooperation in joint research projects or networks (through grants, research bonuses, support to organise study meetings). It enabled researchers to work in another Member State. It encouraged young economists to return to the Community after a period of work outside the Community. As in each programme, the exchange of knowledge and information was an objective too.

Supplementary *ACCESS TO LARGE-SCALE FACILITIES*⁷¹ was introduced. This programme provided temporary financial support to facilitate access to large scientific and technical facilities and installations in the Community for citizens of a Member State who normally would not have access. It also contributed to the development of the exploitation of these facilities and installations. With a budget of 30 million ECU, ACCESS covered (a part of) the domestic expenses, the incidental expenses as a result of carrying out the activity, and the expenses of researchers or scientists, including mobility and travelling costs.

In the sub-area of educational technology the programme *Developing European Learning through Technological Advance* (DELTA)⁷² aimed at the promotion of research and

development of techniques, aids and infrastructure in the field of advanced learning technology, including open and distance learning.

2.9. *Human Capital and Mobility*

When the programmes of the Second Framework Programme were still in execution, the Council adopted a new programme within the framework of the Third Framework Programme (1990-1995): *Human Capital and Mobility* (HCM)⁷³. This programme can be regarded as a continuation and elaboration of the programmes SCIENCE, SPES and Access to large scale facilities (e.g. SPES was extended to the social sciences). It wanted to give a European dimension to R&D staff, and tried to enlarge the human capital available for R&D, i.e. tried to enhance the quantity and the quality of the human capital that is needed by the Member States for RTD. It was implemented in the period of 16 March 1992 to 31 December 1994 and had a budget of 483.07 million ECU.

The HCM programme consisted of four main activities:

- the development of a system of research grants for the training of researchers;
- the establishment and elaboration of research networks for scientific and technological cooperation;
- the promotion of access to large scale facilities;
- the development of a system of Euroconferences: scientific meetings concerning themes on the edge of scientific or technological knowledge.

These measures aimed in the first place at enhancing the mobility of young, postdoctoral researchers, and doctoral researchers by offering them a job holding active participation in far advanced research projects. But another goal was to encourage established researchers (in need of training in another field than their own, or needed for training in that field) to establish projects in less prosperous regions.

2.10. *Conclusion*

In the 1970s one could hardly speak of an educational policy of the EC. But in the 1980s this began to change. On the political level, the necessity of broadening the scope of the Community to non-economic areas was gradually acknowledged. It was felt that this was the only way to involve the citizens in the EC. Specifically for education the idea grew that it could be an important element in the struggle to combat unemployment. On the juridical level, the legislation of the European Court of Justice acknowledged the possibility of action by the EC in the field of education. Although the treaties establishing the European

Communities did not mention the right to develop an educational policy, the Court of Justice granted the EC the right to take initiatives in the field of education as far as was necessary to reach the goals set forth by those treaties.

The consequences of these two developments (the political need for among other things educational action and the legal right to develop such actions) were considerable. First, European citizens could now assert rights concerning higher education, if necessary against a state or a higher education institution. Second, the European Community, particularly the Commission, now could not only develop incentive programmes for specific educational areas (i.e. areas that could be defined as regarding vocational training), but could also gradually broaden its authority. It was backed in this -again- by the European Court of Justice. This court in subsequent cases followed the Commission in its broad interpretation of the Community authority in educational matters.

This is not to say that the Member States had suddenly given up the idea of the importance of national sovereignty. On the contrary, the development of Community-level educational programmes was heavily contested, as we just mentioned even before the Court of Justice (for example in the case of COMETT II and ERASMUS, but also at non-higher education level, for example the PETRA programme).

Although the division of authority between the EC and the Member States remained an issue of debate, gradually more and more incentive programmes with effect on the EC-budget were developed. The best known programme of this period is without any doubt ERASMUS. Although the initial objectives came to be too ambitious, ERASMUS nevertheless made structured student mobility an accepted part of higher education studies. In this way, ERASMUS -together with the other programmes- achieved a change in mentality. Over a period of ten years, the importance of a European experience became generally accepted. The right of the Community to promote and provide such an experience was not longer discussed. The benefits of these changes, according to the Commission, were twofold. First, a European experience and additional training or education in a European context have a positive effect on the employability of the participants, that is on their chances for success on the labour market. Some programmes (e.g. COMETT) were therefore explicitly aimed at enhancing the relationship between higher education and industry. But all programmes referred in their goals to economic variables, particularly the need to cope with the growing demand for 'human capital' by the European economy. The benefits for the Community as a whole are situated at this level.

Although the (higher) educational programmes were said to be very important both for the

economy of the EC and for the European citizens, this did not show in the budgets that were made available for them. The EC-budget for education did increase significantly in the period 1983-1992, especially when we compare it to the budget available in the 1970s, but in relation to other areas (for example the area of research) the amount was low. Taking into account that the purpose of Community funding is to trigger of activities and not to sustain them permanently, the fact still remains that the objectives of the educational programmes could not be entirely reached, at least partly due to a lack of financial resources. The extension of the authority of the EC in the field of education was however still too controversial to provide a solution for this problem.

3. The Treaty on European Union and onwards (1993 - 1999)

3.1. The Treaty and the White Paper

Whereas the Single European Act reformed the founding treaties of the European Communities to make institutional reforms and an internal market possible, and to strengthen Community policy, a new revision of those treaties was necessary to establish a monetary union (EMU) and a political union (EPU). This revision was consecrated in the *Treaty on European Union*⁷⁴, also known as the Treaty of Maastricht. The Treaty on European Union gives a single legal framework to the three European Communities, from then on referred to as the 'first pillar' of the European Union. Within the first pillar, there is a relatively high degree of integration between the Member States. Decisions are generally taken by the newly introduced co-decision procedure, in which the power of the European Parliament equals that of the Council. The Treaty on European Union introduced cooperation in the field of foreign and security policy (second pillar) and justice and home affairs (third pillar). In these pillars cooperation is mainly of an intergovernmental nature.

Within the first pillar, the Treaty extended the authority of the European Union (EU) to some new policy areas. One of these new domains was education. Under the heading "Education, vocational training and youth" two new articles were introduced: article 126 on education and article 127 on vocational training⁷⁵. Education was included in the Treaty for several reasons. First, the fact that numerous education programmes with an impact on the EC-budget already existed, could not be ignored, notwithstanding that they had not always been easily accepted by all Member States. Second, the disputes about the action programmes triggered a series of judgements by the European Court of Justice, allowing the EC to develop such programmes. As a legal basis for increasing the educational budget these judgements were however not satisfactory. Third, together with the recognition of the need to increase the authority of the EC in the field of social and economic policy, the importance of education as part of the social and economic policy was recognised.

But at the same time when education was firmly embedded in the Treaty, the authority of the EU was restricted. On the one hand the fields of authority of the EU were strictly defined. In this way the Member States wanted to prevent an extension of this authority by the European Court of Justice. On the other hand the Treaty clearly indicated the procedures applying to educational and vocational policy (the co-decision and the cooperation procedure respectively). These restrictions were imposed on the basis of the principle of subsidiarity, which was also included in the Treaty. The Member States, notably the UK, favoured a broad

interpretation of this principle because they resented the idea that the EU would intrude in education matters more than before. Consequently the field of action of the EU was limited to complementary measures with respect to the responsibility of the Member States for the structure and organisation of education and training. The influence of intergovernmental committees and the importance of decentral actions was increased.

Notwithstanding the restrictions imposed on the EU, the Treaty on European Union was an important milestone in the development of European educational policy. For the first time the right of the Communities to act in the field of education was acknowledged unequivocal. The *de facto* authority that the Community had obtained by broadening its range of educational activities in the 1980s (the so-called *acquis communautaire*) was thus confirmed and strengthened. The Ministers of Education from now on can assemble as Council of Ministers. Moreover, the restrictive character of article 126 of the EU-Treaty is sometimes questioned. J. De Groof for example argues that a broader interpretation of the Treaty is possible, because the targets of EU-action are defined as the development of the European dimension in education and the quality of education. These objectives are more extensive than the fields of authority outlined in article 126 (the article even uses rather general terms itself) and thus potentially allow a wide scope of action for the EU⁷⁶.

The concrete scope of articles 126 and 127 was to be defined when establishing action programmes. In any case these could now be comprehensive programmes covering all educational sectors. The first plans to develop more encompassing programmes were presented in 1993. The Ruberti report⁷⁷ contained such guidelines for the forthcoming actions in the field of education. The report defined the general objective as the development of human capital and in this did not differ from the Single European Act. To promote cooperation between education and training systems, and to improve the quality of education and training (e.g. in the field of new technologies and open and distance education), it proposed to establish networks of inter-university cooperation programmes, to promote the mobility and exchange of students, teachers and researchers within these networks, and to develop joint study or research programmes.

The guidelines of the Ruberti report were stressed again in the *White Paper on Growth, Competitiveness and Employment* of the Commission, and the action plan based on this White Paper of the European Council⁷⁸. Both documents assigned an important role to education and training in answering to the new socio-economic developments (the need to combat

unemployment, to improve the competitiveness of industry and business, and to guarantee the cohesion of the Union).

The White Paper included an evaluation of the education and training systems in the EU. Negative assessments were: high dropout rates; shortages of skilled labour; insufficient mutual recognition of diplomas; and the non-existence of a real European area for open and distance learning. Without ignoring some positive developments (an increase in the general level of education, the educational attainment and the general investments in education; and in higher education the decentralisation and the growing participation of the private sector), the White Paper suggested a further reform of the education and training systems in terms of a better coupling of education and industry. On the national level the White Paper proposed more specifically the development of a system of training vouchers; training through new technologies; and decentralisation of the management of education. On Community level it primarily favoured the development of the European dimension in education (mobility, the recognition of diplomas, information supply, ...).

Both legally (in the Treaty on European Union) and politically (e.g. in the White Paper on Growth, Competitiveness and Employment), the importance of education and training was recognised and the (complementary) authority of the EU in this field firmly established. This new situation enabled the Commission to develop action programmes that no longer consisted of fragmented measures, but were programmes including all levels of education and forming a comprehensive unity. By bringing former actions within the framework of a single programme, the Commission aimed at increasing their impact and interactivity. Moreover, lifelong learning was seen more and more as the most adequate response to the constantly changing education and training needs.

The new Community policy was conceived around three major lines of action, corresponding to the fields of authority outlined by the Treaty on European Union: education (SOCRATES), training (LEONARDO) and youth (YOUTH FOR EUROPE).

The YOUTH FOR EUROPE programmes already existed since 1989, but formerly focused on young people outside education and training. YOUTH FOR EUROPE III does involve measures regarding education and focuses on the exchange and mobility of young people, study visits for youth workers, and so on. Higher education is however not of its concern.

The action lines SOCRATES and LEONARDO do (partly) concern higher education. In the next two paragraphs, we will take a closer look at them.

3.2. SOCRATES

The Action Programme in the Field of Education of 1976 in a first phase was the basis for modest incentive programmes, and in a second phase for more elaborate (partly) Community-funded EC-actions. With SOCRATES⁷⁹ a third generation of Community action programmes is introduced. The SOCRATES programme is legally based in, and derives its goals from articles 126, 127, and 3 sub p of the Treaty on European Union. It continues and extends a number of previous programmes (ERASMUS and LINGUA) and effects new actions (COMENIUS, open and distance learning, adult education, exchange of information). In this way SOCRATES covers all levels of education and clearly forms a part of the strategy to promote lifelong learning. The overall aim of SOCRATES is to help improve the quality and relevance of education for children, young people and adults, by enhancing European cooperation and increasing access to the range of learning opportunities available across the Union. The programme emphasises the importance of the participation of the less favoured regions and of disadvantaged persons, notably disabled persons, and of providing equal opportunities for men and women.

The Decision establishing the SOCRATES programme was accomplished following the newly introduced co-decision procedure⁸⁰. Passing through the procedure was difficult, because of the major disagreement between the bodies representing the EU (the Commission and the European Parliament) and the body representing the interests of the Member States (the Council). The proposal that the Commission submitted to the Council, after amendments had been made by the European Parliament, the Economic and Social Committee, and the Committee of the Regions, was changed by the Council to increase the intergovernmental character of the SOCRATES programme. It reduced the competence of the proposed SOCRATES Committee from advisory to administrative, and promoted the active participation of national executive bodies. In the second reading, the European Parliament and the Commission again reinforced the importance of the Community level, but this was unacceptable for the Council. A Conciliation Committee (composed of an equal number of Council Members and Members of Parliament) was summoned, but due to the refusal of Germany, agreement could not be reached. Because neither party wanted to take the procedure further, but did not want to leave the proposed decision unaccepted either, a final compromise was sought and found. The general text and the text about the programmes was uncoupled; some 'cosmetic' changes were made; and the text was approved in two steps. The

formal approval followed on 14 March 1995. The result is a Community-level programme, but with the actions and the execution concentrated on the decentral level.

SOCRATES runs until 31 December 1999. It is applicable to the 15 Member States of the European Union (Austria, Finland and Sweden joined on 1 January 1995) as well as to Iceland, Liechtenstein and Norway (in the framework of the European Economic Area agreement). Since 1997 the programme, as all educational programmes, is gradually extended to countries of Central and Middle Europe. The financial framework was 850 million ECU at the beginning, but was raised and now amounts 920 million ECU.

The programme is structured in three parts: 'ERASMUS' (higher education), 'COMENIUS' (school education), and 'horizontal measures' (the promotion of language skills, open and distance learning, and the exchange of information).

SOCRATES-ERASMUS (accounting for at least 55 % of the overall budget) consists of two actions. Action 1, *the promotion of the European dimension in universities*, involves activities for which an institutional contract can be concluded, and projects on subjects of mutual interest. On the one hand, universities may conclude an institutional contract to receive assistance for a maximum period of three years. Their application has to comprise a policy statement on European cooperation and proposals as to the specific cooperation activities envisaged. These may include activities established under ICPs (the organisation of student mobility; the introduction of the ECTS; curriculum development activities; teaching staff mobility and selective teaching fellowships; intensive programmes) or outside ICPs (preparatory study visits; the incorporation into curricula of material contributing to the understanding of characteristics of other Member States; and the learning of languages as an integral part of studies). Wherever appropriate, universities are encouraged to apply open and distance learning techniques and materials to the above activities.

The Community will lend its support to "university cooperation projects on subjects of mutual interest", generally known as "Thematic Networks". The purpose of these networks is to define and develop a European dimension within a range of academic disciplines through cooperation between existing academic associations and university faculties or departments. This cooperation should enable them to exchange experiences, discuss and foster the development of joint programmes and specialised courses, especially for subject-areas underrepresented in ICPs.

Action 2, *the encouragement of student mobility and financing of ERASMUS grants*, continues the former ERASMUS programme. This action provides direct financial aid to cover the mobility costs of students carrying out a period of study in another participating country.

The second part of SOCRATES, *COMENIUS*, involves actions on the school level, but projects on the initial and in-service training of teachers and the development of curricula for intercultural education can be eligible for support under part 1, when they involve universities, their students or their staff.

The third part of SOCRATES comprises '*horizontal measures*', i.e. actions supplement the actions of the other parts. They apply to all sectors of education. Three actions are included:

- 1) the promotion of language skills (LINGUA) regarding the official languages of the EU, together with Irish, Letzeburgesch, Icelandic, and Norwegian.
- 2) the promotion of open and distance learning (ODL)
- 3) the promotion of exchange of information and experience (EURYDICE, NARIC, ...).

When involving universities, the following activities can be awarded ERASMUS funds:

- the development of language-teaching instruments; the initial and in-service training of language teachers; language assistantships (Action 1);
- various open and distance learning activities (Action 2);
- analyses, surveys, data collection and dissemination on educational policy issues (Action 3).

The Commission adopted a report on the results of the SOCRATES programme on 14 March 1997⁸¹, covering the years 1995 and 1996. Some figures:

- 316,000 students pursued a recognised period of study in one of the participating countries;
- 2,673 inter-university cooperation programmes were set up, involving 1,800 higher education institutions;
- 28 major thematic networks in the higher education sector were set up, each one with over 70 participating establishments;
- 600 transnational projects, involving 2,700 establishments, were implemented in the fields of ODL, adult education, intercultural education, language teaching, and initial and continuing training for teachers.

It is too early to give a full evaluation of the SOCRATES programme. The figures above suggest continuing success, but more recently the mobility (in all its forms) has stagnated and even decreased⁸².

3.3. LEONARDO

The LEONARDO DA VINCI programme⁸³ (1 January 1995 to 31 December 1999) continues the previous programmes COMETT, EUROTECNET (European Technology Network for Training), FORCE (Formation Continue en Europe), PETRA (Project for Education and Training for young people), and LINGUA. It is based on article 127 of the EU-Treaty and its implementation budget amounts to 620 million ECU. It pays special attention to the equal treatment of persons and the involvement of citizens in the EU. Even more than in the case of SOCRATES, the Council reduced the Community-oriented nature of the programme as proposed by the Commission. The Commission and the European Parliament tried to amend the Council text, but in the cooperation procedure the Council has the last word. As a result, also in the LEONARDO programme the stress is on the decentral level.

The objectives of LEONARDO are stated in the so-called common framework of objectives. This framework contains the main issues of common concern to all EU Member States on which greater cooperation has to be promoted. It is a set of objectives for Community action, supplementing national actions. These objectives are among other things the improvement of the quality and innovation capacity of Member States' vocational training systems, the development of a European dimension in vocational training and an open European vocational training and qualifications area, the development of linguistic skills, methods of self-training at the workplace and open and distance learning and training methods. In the approach of the Commission, these objectives were not the ultimate goals, but the means to arrive at the adaptation of vocational training to the needs of the labour market, the strengthening of the competitiveness of enterprises, and the reduction of unemployment.

LEONARDO comprises four action strands, providing support for:

- 1) the improvement of vocational training systems and arrangements in the Member States;
- 2) the improvement of vocational training measures, including university/enterprise cooperation, concerning enterprises and workers;
- 3) the development of language skills, knowledge and the dissemination of innovation in the field of vocational training;

4) other measures.

Strand 2 is of particular interest to higher education. In the common framework of objectives the goal is stated as follows: 'promoting vocational training in the light of the results of technological research and development programmes, particularly by means of cooperation between universities and companies in the sphere of training in technologies, their application and their transfer'.

Strand 2 contains transnational pilot projects in four areas: 1) innovation (especially technological change) in vocational training; 2) investment in continuing vocational training for workers; 3) the transfer of technological innovation in the context of cooperation between companies and universities in the field of continuing vocational training (common training modules, short-term intensive transnational courses in technology training, and so on); 4) the promotion of equal opportunities for men and women. Strand 2 also contains transnational programmes of placements in companies for university students and university graduates; transnational programmes for exchanges between companies and universities and/or training bodies, and programmes for exchanges of people in charge of training.

Language preparation must be an integral part of all placements and exchanges where participants do not have an adequate working knowledge of the language of the country in which they will be placed. They should also include recognition of skills acquired in Member States' systems.

A report of the Commission, based on an external evaluation and on reports from the participating countries, evaluated the first years of the LEONARDO programme⁸⁴. The report discerns some general trends in vocational training. Regarding initial vocational training, there is a willingness to enhance its value and recognition; and a trend towards a closer relationship between schools and enterprises (work/training schemes). In the field of continuing vocational training, there is a decentralisation (regionalisation) tendency; a search for quality; and a search for flexible, tailored training, with greater emphasis on modular approaches and new technologies. More generally, the report remarks that the divisions between initial and continuing vocational training on the one hand, and vocational training and general education on the other hand, are becoming blurred. There is a much closer cooperation between education/training institutions and enterprises, and efforts are being made to find alternatives to diplomas through a double general and vocational qualification.

The LEONARDO programme in 1994 and 1996 provided funding for 1,542 projects,

enabling more than 50,000 persons, including 22,000 young people undergoing initial training, 10,000 young workers and 13,000 higher education students or graduates, to experience periods of guidance and training throughout the Member States and participating countries.

3.4. Co-operation with third countries

Next to the encompassing framework of the three major lines of action towards European countries, action was taken to further develop the cooperation with third countries, in particular the Latin American countries, the US, Canada, China, and India, as part of the strategy to improve the international position of the EU.

Bearing in mind the experiences with programmes like ERASMUS, TEMPUS, and MED-CAMPUS, the Commission approved a programme for cooperation between Europe and Latin America in the field of higher education on 10 March 1994. The ALFA (Amérique Latine - Formation Académique) programme fell under the responsibility of DG I b (Directorate for Latin America). ALFA's main objectives were to overcome the unbalances between Europe and Latin America by improving the scientific, academic and technological potential of Latin America, and to contribute to its regional integration. Its activities were gathered in two sub-programmes: a) cooperation for institutional management; and b) cooperation for scientific and technological training. Its budget amounted to 40 million ECU, of which 32 million ECU was provided by the EU.

On 23 October 1995 and 27 November 1995 respectively, treaties regarding higher education and vocational training for the period 1995-2000 were concluded with the United States and with Canada⁸⁵. These treaties were the next step in a cooperation process that had begun with the joint statement of 1990 (see § 2.6.).

Briefly summarised, the content of the treaty with the US is the following (the treaty with Canada has a similar content). The main objectives are to improve the quality of higher education and vocational training and, more generally speaking, learning to know each other. To this aim, joint projects can be developed of EU / US partnerships between higher education institutions of at least two Member States of the EU and two States of the US. These joint projects have to cover, among other things, the exchange of students and staff of higher education institutions and companies, while guaranteeing full academic recognition; the development of study programmes; and the development of short intensive courses. A

mixed committee of independent representatives of the EU and the US selects cooperation activities and drafts a yearly report.

The EU-China Higher Education Cooperation Programme (1996-2000) has as an overall objective to promote greater interest and understanding of the EU in China. Specifically it wants to strengthen European Studies in China (i.e. build up institutional capacity in European studies teaching, degree programmes and research); add European studies elements to existing language courses; and train the trainers.

Within the programme, European professors can stay one month in China (Robert Schuman professorships) or two months (visiting professors), to teach and help develop European studies. Chinese participants can engage in guest professorships (to develop academic links), fellowships or internships (to engage in studies or research), and studentships (undergraduates who want to undertake further study in European studies in EU universities). The EU-China programme also supports collaborative projects concerning research, curriculum development, or workshops. The programme is open to all forms of higher education institutions.

The EU-India Economic Cross-Cultural Programme (1997-2000) aims to increase the visibility of the EU in India, and that of India in Europe. A two-way economic cultural presence should lead to mutual understanding and respect and that is seen as a pre-requisite for a long lasting relationship between the two continents.

The programme focuses on three dimensions: university, media, and enterprise. Networks of at least one Indian and two European members from different Member States can receive co-financing for activities aiming to establish a link between cultural and technological development in both regions.

Activities eligible for financial support in the university dimension are:

- exchange programmes;
- networks of European and Indian Studies Centres;
- Joint R&D projects;
- Libraries and data bases;
- Information sessions and seminars.

Priority areas on which these activities should focus are: management, law, political science, contemporary history and affairs, social and economic studies, and new technology.

3.5. Further developments

Having established encompassing programmes in the field of education and vocational training (SOCRATES and LEONARDO), the Commission still was thinking about taking the cooperation in the area of higher education further. There was a concern about the learning society, the academic recognition of diplomas, the awareness of the European citizens of the importance of lifelong learning, and transnational mobility. For each of these topics the Commission wanted to stimulate the discussion and propose guidelines for action.

In 1995, the Commission presented its White Paper *‘Teaching and Learning: Towards the Learning Society’*⁸⁶. It focused on ‘three factors of upheaval’ appearing in European society: the impact of the information society, the impact of internationalisation, and the impact of the scientific and technological world. Education and training must respond to this by enhancing the broad knowledge base (as step towards the acquisition of new technical skills) and fostering the ability for employment (by encouraging mobility, developing all types of dual structures of work and training, validating skills, and offering a second chance). Moving towards the learning society is a twofold challenge, says the White Paper. The economic challenge is to consolidate and improve the competitiveness of European industry. The social challenge is to combat social exclusion. Both challenges require investment in people and enhancement of their qualifications and adaptability. Therefore, the White Paper proposes guidelines for action linked to five general objectives:

- 1) encourage the acquisition of new knowledge (personal skills cards);
- 2) bring schools and the business sector closer together (apprenticeship / traineeship);
- 3) combat exclusion (second chance through school);
- 4) proficiency in three Community languages;
- 5) treat capital investment and investment on training on an equal basis.

A field not mentioned in this White Paper was the academic recognition of diplomas. Until the Treaty on European Union the authority of the Community was restricted to the recognition of diplomas for the practice of a certain profession in another Member State. But now the EU can also take measures concerning academic recognition. As a result, the general introduction of the ECTS was promoted; a communication of the Commission⁸⁷ proposed new lines of action to be followed in this field. The Commission made an inventory of the realisations on Community level regarding the academic and professional recognition of diplomas. Two forms of recognition were encountered:

1) *voluntary recognition* on the basis of accumulation (further studies in another Member State after recognition of the already achieved diploma) and through substitution (recognition by the own institution of a study period in another Member State; developed e.g. in COMETT and ERASMUS agreements);

2) *professional recognition* de jure (Directives based on the EC-Treaty) and de facto (the system of comparability of certificates of professional skills).

The Commission concluded that these forms of recognition were not mutually replaceable. Thus it saw no other way to improve the recognition of diplomas than to improve the mutual knowledge and trust and voluntary cooperation. It admitted that a real Community-level solution was not available. The approach proposed focused primarily on the exchange of information and the establishment of networks of teachers and professionals, and in second order on the promotion of initiatives regarding mutual adjustment of (both contents and construction of) training programmes.

Still in the same year (1995) the decision was taken to make 1996 the '*European Year of Lifelong Learning*'⁸⁸. The year was launched officially in Venice on 2 February and closed in Dublin on 6 December. The objectives were to make European citizens aware of the importance of lifelong learning, to set a European standard of competitiveness and employment-intensive growth, and to create better cooperation at all levels between education and training structures in enterprises. Among the 550 activities that were financially assisted by the EU were conferences, information campaigns, contests and so on.

The Green Paper '*Education - Training - Research: The Obstacles to Transnational Mobility*'⁸⁹ analysed the difficulties which hampered the mobility of persons undergoing training. The obstacles encountered by these persons can be:

- legal or administrative: problems concerning social security, legal status, taxation, ...;
- socio-economic: inadequate financial support, lack of legal guarantee of finding a job, ...;
- linguistic: lack of knowledge of a foreign language and certain cultural aspects;
- practical: lack of information, lack of affordable or suitable accommodation, problems arising from family commitments, and so on.

Subsequently, the Green paper proposed lines of action to remove these obstacles, for example introducing tax incentives, providing linguistic and cultural preparation, ensuring social protection, improving the information available, ...

3.6. Agenda 2000

The *Treaty of Amsterdam* (1997) makes provisions to meet the following objectives: to be closer to the citizens and to assert their rights; to remove obstacles to free movement while making Europe an area of security; to improve Europe's international position; and to make the Union's institutions more efficient to clear the path for further enlargement. The Treaty of Amsterdam came into force on 1 May 1999. Some of its most visible consequences are more common action in the field of the third pillar (justice and home affairs), the integration into the Treaty of the Schengen agreement about the free movement of people and goods, and giving priority to employment in the first pillar (the Social Protocol that was attached to the Treaty of Maastricht -the UK refused to include it- is now a full part of the Treaty of Amsterdam).

The possible elaboration of the EU on an unprecedented scale (there are 12 candidates to join the EU) has important consequences for the financial situation and the structure of the Union, and the internal policies to be pursued to make an enlargement possible. To address these matters, the Commission presented 'Agenda 2000' on 16 July 1997.

In its communication *Agenda 2000*, the Commission sets out a detailed strategy for strengthening and adapting the Union's policies, preparing for the arrival of new Member States, and designing a suitable financial framework. A series of practical proposals, to be carried out in the period 2000-2006, should ensure that the accession causes no problems for the achievements and methods of the EU. Therefore the efforts of the applicant countries to adopt the *acquis communautaire* will be assessed (and supported financially). Internally the EU will be strengthened by reforming the institutions, developing internal policies for growth, employment and quality of life, maintaining economic and social cohesion, and reforming the common agricultural policy.

Priorities in the the development of internal policies will be:

- to create conditions for sustainable growth and employment;
- to develop a 'knowledge' policy by giving a stimulus to research and technological development, and to education and training programmes which enhance the mobility of young people and the information society;
- to modernise employment systems;
- to improve living conditions.

The Commission's communication *Towards a Europe of Knowledge* of 12 November 1997

indicates how a 'knowledge policy' should be pursued⁹⁰. It presents guidelines for action in the field of education, training and youth for the period 2000-2006. Knowledge-based policies (innovation, research, education, training) should become a key issue in the EU's internal policies. The new actions should enable all European citizens to continuously raise their level of knowledge and skills, in order to enhance their employability. They must capitalise what has already been achieved, placing the focus on a restricted number of objectives. These objectives are: to provide access for European citizens to all education resources; to innovate these resources; and to disseminate good practice in education.

Six types of action are proposed to attain these objectives:

- action for physical mobility;
- action for virtual mobility (communication and information networks; multimedia goods and services);
- action to build up cooperation networks to exchange experience and good practice;
- action to promote language skills;
- action to develop innovation (pilot projects);
- action to improve Community sources of reference (key figures, data bases, ...).

Programmes within this framework must be developed at transnational level and will be open to the Member States and the countries of the EEA, and gradually also to the applicant countries.

On the basis of the experience gathered in the first phase of SOCRATES and LEONARDO, and the objectives aimed at by 'Towards a Europe of Knowledge', two proposals have been submitted to take these programmes into a second phase (2000-2004)⁹¹. The co-decision procedure for SOCRATES II has not yet come to an end at the time of writing. The cooperation procedure for LEONARDO II resulted in the adoption of the programme by the Council on 26 April 1999.

The major goal of both programmes is described as the development of a European area for education, underpinned by ongoing cooperation at Community level among those involved in the education field (SOCRATES II) or in the field of training and lifelong education and training (LEONARDO II).

Each programme also has its specific goals. SOCRATES II (proposed budget: 1,400 million ECU) focuses on language learning, exchanges, wider recognition of diplomas and periods of study, and innovation (particularly in the field of new technologies). Its target group was

enlarged (the Grundtvig Action for example is aimed at the development of training possibilities for young people who have left the school system early, and adults who want to commence or finish their studies after a period of interruption). LEONARDO II (proposed budget: 1,000 million ECU) pays special attention to apprenticeship, access to continuing training, and reintegration into the labour market of persons with insufficient or obsolete skills. It supports experimental pilot projects; and it is implemented in cooperation with CEDEFOP and the European Training Foundation.

The actions corresponding to these specific goals are structured following the six types of actions proposed by Agenda 2000. This means that, apart from the physical mobility, which was already an important feature of the first phase of the programmes, the virtual mobility component receives explicit attention now (i.e. developing the use of new information and communication technologies, in order to provide a European experience for those who do not have the possibility to actually go abroad). In SOCRATES II, this is part of the so-called ATLAS-action to encourage open and distance learning. The development of cooperation networks and the promotion of language skills are two other 'traditional' elements. New is the inclusion of innovation as a separate action in the programmes (i.e. support for innovative pilot projects based on transnational partnerships designed to develop and/or disseminate innovation in educational and training products).

All actions have to be supplementary to actions taken at Member State level. A Committee for each programme, consisting of representatives of the Member States, assists the Commission in the implementation of the respective programmes.

Both programmes are conceived with view on shared responsibility between the EU, the Member States, and other players. This shows in the procedures governing the programmes, that can be generally described -making abstraction of some differences- as follows. The procedures start with a call for proposals, published in the Official Journal of the European Communities (OJ) and other special publications. Then projects can be submitted. Sometimes the national authorised bodies can make a selection first, but the definitive selection is made by the Commission. The national agencies and national bodies in each Member State provide technical support for all those involved in projects, including help in finding cooperation partners in other European countries. They also give the grants to the students and establish scales for that purpose.

The projects have to involve institutions from more than one member state (preferably 3 or 4).

Each individual educational institution can take an Institutional Contract with the Commission for all activities eligible for support. Although the selection of projects can be somewhat different for each action or programme, the following criteria are often included:

- the European dimension of the projects;
- the added value of the project when carried out at European level;
- the actual involvement of the partners;
- the quality of the proposal;
- the innovative and exemplary character of the project;
- the promise to continue the project beyond the financing period;
- the geographic balance between the participants (involvement of remote and new states).

In general, Community support cannot exceed 50% of the cost of the project, except when the Commission asks directly for evaluations, studies and innovative projects (e.g. projects encouraging involvement of disadvantaged young people (in Youth For Europe), transnational pilot projects (in LEONARDO)).

The goal envisaged for both SOCRATES II and LEONARDO II is ambitious. Together they should enable 1.2 million students, 200,000 teachers, and 400,000 young people in a training scheme to benefit from mobility.

In April 1999, the third phase of the TEMPUS programme for the period 2000-2006 was approved by the Council⁹². The objective of TEMPUS III is to help higher education systems in the eligible countries to address:

- issues relating to the development and reshaping of teaching syllabuses;
- the reform of higher education structures and establishments and their management;
- development and training leading to qualifications, particularly by strengthening links with industry;
- the contribution of higher education and training to citizenship and the strengthening of democracy.

The list of eligible countries is different from before and now includes:

- PHARE: Albania, Bosnia-Herzegovina and the Former Yugoslav Republic of Macedonia;
- TACIS: Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, Kyrgyzstan, Moldova, the Russian Federation, Tajikistan, Turkmenistan, Ukraine, Uzbekistan and Mongolia.

TEMPUS-PHARE plays a role in the strategy set out by Agenda 2000 to make an enlargement of the European Union possible by preparing candidate member states to take

over the *acquis communautaire*, also in the field of education.

Next to these major programmes, a recommendation was issued⁹³ that calls on the Member States to improve the quality of higher education. The Council recommends the Member States to introduce quality-assessment and quality-assurance mechanisms into their higher education systems, and to promote cooperation (and networking) between the authorities responsible for evaluating the quality of higher education. Compared to the original proposal for the recommendation presented by the Commission, 'the creation of a European Quality Assurance Network by the Commission' was replaced by 'promoting networking between national authorities by the Member States'. This is a clear indication of the trend that is also apparent in SOCRATES and LEONARDO, namely European cooperation with a strong emphasis on decentral implementation and responsibility.

3.7. R&D Framework Programmes

In the field of Research and Technological Development the Fourth Framework Programme⁹⁴ (1994-1999) comprises actions to be taken in line with the four activities mentioned in the EU-Treaty regarding RTD: 1) cooperation between firms, research centres and universities; 2) cooperation with third countries and international organisations; 3) dissemination of results and activities; 4) promotion of the training and mobility of researchers.

Within this Fourth Framework, the programme *Training and Mobility of Researchers* (TMR)⁹⁵ was the continuation (with the necessary adaptations) of the Human Capital and Mobility programme (1992-1995) and the previously executed programmes SCIENCE (1988-1993), SPES (1989-1993) and ACCESS TO LARGE-SCALE FACILITIES (1989-1993). The continuity between these programmes shows in three common characteristics. Firstly, the overall objective is the same: the enhancement of the efficiency of research and the research infrastructure through training, mobility and cooperation. Secondly, they all want to establish the necessary cohesion, i.e. they want to answer the need for qualified scientific personnel in the less prosperous regions. Finally, they ground themselves on the principle of subsidiarity to unite the (up till now fragmented) means and the expertness in the Community.

The TMR programme ran from 15 December 1994 to 31 December 1998. It had a budget of 744 million ECU (HCM had 488.07 million ECU).

The TMR programme explicitly referred to the White paper on Growth, Competitiveness and

Employment, i.e. to the acknowledgement of the importance of the level and relevance of the training of researchers for economic growth, competitiveness and employment. Therefore, four main activities were established under the TMR programme:

- grants for *research networks* of five or more teams in at least three countries, who join for a research project of at least three years. This should promote joint experiments, the exchange and dissemination of results, and the employment of temporary researchers of other countries;
- support for researchers to provide them *access to* rare or unique *large-scale facilities*; and support for the improvement of large-scale facilities when necessary to provide better access;
- *training through research* and stimulation of mobility (interdisciplinary and between universities, research institutions and enterprises) in all areas of the programme, including training placements of three months to three years outside the country of origin.
- *accompanying measures*.

Another programme established within the Fourth Framework is *Targeted Socio-Economic Research*. This programme regards research in the field of education and training. It gives priority to research regarding training needs, teaching and training methods, and comparative research in aspects of national education and training systems. The programme provides 25 million ECU (on a total of 105 million ECU) for research in the field of education and training.

A Fifth Framework Programme is now in operation⁹⁶. It is aimed at a limited number of objectives emphasising economic competitiveness and social needs. It includes four 'thematic' programmes for research and technological development (concerning quality of life; a user-friendly information society; competitive and sustainable growth; and the ecosystem); and three 'horizontal' programmes: 1) confirming the international role of Community research; 2) promotion of innovation and the participation of SMEs; 3) improving human research potential and the socio-economic knowledge base. The Fifth Framework Programme covers the period 1998-2002 and has a budget of 14,960 million ECU available.

The horizontal programme 'improving human research potential and the socio-economic knowledge base' aims at developing the knowledge potential of the Union's researchers, engineers, and technicians. Moreover, it wants to mobilise research in social and economic science and the humanities in order to contribute to the Union's competitiveness and quality of life of its citizens. The programme evolved from the former TMR and TSER programmes, but

also includes some new activities. Also new is the bottom-up approach (the researchers can choose the research topics themselves), although this is not the case in the key action 'improving the socio-economic knowledge base'. A key action in the fifth framework is a flexible instrument targeted at achieving solutions to topics of great concern in Europe. In this case, these topics of great concern are: societal trends and structural changes (in the family structures, the labour market, cultural patterns, ...); the interdependency between technology and science; the responsibility, accountability and capacity as agent of change of all levels of governance in Europe; the concept of citizenship across Europe; and new development models fostering growth and employment.

Human Potential, as the programme is generally addressed, further concentrates on three specific actions. First, the action 'Supporting training and mobility of researchers' is a continuation of the former TMR-networks (Research Training Networks) and TMR-grants (Marie Curie Fellowships). Second, 'Enhancing access to research infrastructures' is meant to promote access to major research facilities (such as singular large scale research installations, collections, libraries, data-bases, ...) and to promote cooperation between infrastructure operators. Third, the action 'Promoting scientific and technological excellence' includes among other things the promotion of high level scientific conferences and granting distinctions for high-level research work.

Finally, Human Potential also support the development of scientific and technology policies in Europe, by promoting the exchange of information and experience between decision-makers and researchers, through studies, seminars, conferences, and the compilation of indicators.

3.8. Conclusion

In the 1980s, the educational authority of the European Community gradually broadened as a result of the development of educational action programmes and the acknowledgement by the European Court of Justice of the right to do so. At the beginning of the 1990s, the existing initiatives were seen as a firm acquisition. Therefore, the Treaty on European Union explicitly confirmed the right of the European Union to act in the field of education and vocational training. On the other hand the authority and responsibility of the Member States for the structure and organisation of the education and training systems were also confirmed. In this way the principle of subsidiarity was used to limit the influence of the Commission. But it seems that the wording of the articles 126 and 127 of the Treaty on European Union still leaves room for interpretation. This means that the discussions about the right of the

Community to take initiatives regarding education might have been put to an end, but not the discussions about the exact scope of this right. The strong emphasis in the new generation of Community programmes on decentral implementation and activities shows that the Member States favour a selective application of the responsibilities of the EU.

Nevertheless the programmes SOCRATES and LEONARDO represent a new phase in Community action in the field of education. They are comprehensive, cover all previously existing programmes, and supplement these with new actions. They are conceived to cope with the growing importance of open and distance learning in the context of lifelong learning, innovation, quality assurance, and virtual mobility. Their goal is to support immaterial investments in human capital, in order to combat unemployment. Recent figures however show that mobility under these programmes is stagnating and that the objectives set out at the beginning will not be reached.

The possible enlargement with 12 countries confronts the EU with its own internal policies and the way in which these can be maintained in the future. In wanting 'knowledge policy' to be a key part of the Union's internal policies, the need to rethink the educational and vocational programmes is clear.

As a result, a more integrated policy is pursued. Both SOCRATES and LEONARDO in their second phase are structured around six transversal lines of action, with increased attention for virtual mobility and innovation. Compared to the first phase the budget is increased with more than 60 %. The key-word in defining the hoped for achievements of the programmes is employability. This is in line with the decision to make employment the key policy issue in the first pillar. In the course of time the candidate-Member States can participate too, thus allowing them to acquire the *acquis communautaire* in the field of education and training.

The goal of the new programmes is again set at a very high level. The programmes SOCRATES, LEONARDO and YOUTH together should bring mobility to 2.5 million Europeans. Even with the strong increase in the budget, it remains an open question whether the contribution of the EU will this time be sufficient to trigger enough actions across the Union to reach this ambitious goal.

General conclusion

The history of the higher educational policy of the European Union is the history of supra-national bodies looking for their proper identity. Whereas the European Commission and the European Parliament try to strengthen the supra-national level, the Council of Ministers (as representation of the Member States) stresses national sovereignty. Viewed over a period of thirty years, the importance of the supra-national level has increased significantly, although time and time again the discussion about the right of the Communities to act in the field of education emerged. In this process of defining the relationship between 'Europe' and the national states, we have distinguished three periods.

In the first period, from 1971 to 1983, the Member States agreed on an *Action Programme in the field of Education*. This framework programme was the result of five years of negotiations, but did not put an end to the disagreements about the actual scope that the programme could have. The fact that the founding treaties only made provisions for economic cooperation and not for example for cooperation in the field of education, resulted in a political discussion about the desirability of the Member States yielding authority in non-economic areas to the European Communities. For some it was unacceptable that the EC would take initiatives with a budgetary impact. As a consequence, the concrete results stemming from the Action Programme were minimal. Even with regard to higher education, an area in which more responsibilities were accorded to the Community, only limited programmes (both in terms of scope and of budget) could be established. Nevertheless, the recognition of the need for educational action on a supra- or international level had begun, experience was being built up, and the debate taken further.

The second phase of implementation of the Action Programme (1983-1992) brought many changes, extending the *de facto* educational authority of the EC considerably. The political insight that a continuous high level of unemployment was a European problem and that (higher) education and training could play an important role in combating unemployment, was acknowledged more and more. In consecutive modifications of the founding treaties (the Single European Act and the Treaty on European Union) education was given a more prominent place in the policies of the Community, linking it with the need for human resources and human capital. The Member States still were not keen on giving up authority over education, what resulted in several legal disputes brought before the European Court of Justice. The Court followed a 'European' line of thinking and extended the powers of the EC to include every action needed to achieve the goals of the treaties. The convergence between

Commission proposals and Court jurisdiction resulted in incentive programmes of the Community in the field of higher education, with impact on the EC-budget, and obtaining substantial results. Based on voluntary cooperation and relying on mutual trust, the Community funding was meant to activate people and money at the level of higher education institutions. Particularly ERASMUS turned out to be a successful incentive programme.

In other words, the Member States were faced with an encroachment on their responsibility for (higher) education from several sides. Individual citizens could invoke European rights that could run counter to national legislation. Higher education institutions could participate in European programmes at their own discretion. The European Commission was granted the right to develop incentive programmes by the European Court of Justice, without needing the assent of all Member States (the cooperation procedure requires a majority decision only).

To consolidate the achievements of the programmes and actions developed in the 1980s, but also to ensure the dominant position of the Member States, education and training were both introduced explicitly in the Treaty on European Union (1993). The inclusion of a chapter in the treaty on education, vocational training and youth was the result of a new mentality that had gradually emerged, making European cooperation in the field of higher education a generally accepted idea and confirming the right of the EU to act in this field.

The Member States did however not only acknowledge the responsibilities of the EU for education, but also limited these responsibilities by defining the possible areas of European-level cooperation. They stressed the importance of subsidiarity and hence the essential national authority regarding the structure and organisation of education. By defining the respective responsibilities, the Member States wanted to prevent a further extension of the right of the EU to develop educational policies by the European Court of Justice.

The scope of this right is however still subject to interpretation. The treaty is not very specific in its restrictions, especially in stating that Community action should be aimed at developing 'the European dimension in education'. Therefore, further specifications have to be made when establishing educational programmes. In the new generation of action programmes (SOCRATES and LEONARDO) the responsibility of the decentral levels and accordingly the importance of decentral actions is stressed, under impulse of the Council of Ministers. Nevertheless, these programmes are comprehensive and mutually interactive and, in their second phase, are part of a coherent and structured view on knowledge policy. Harmonisation is still rejected, but the European programmes and policies will continue to have an effect of convergence on the national education systems and provisions. This effect is likely to increase, given the recent raise in the budget and the central position of knowledge policy in

the internal policies of the EU.

The relation between the European Union (especially the European Commission) and the Member States (especially the Council of Ministers) has been and still is a dynamic relationship. In a constant repositioning the development of a European higher educational policy proceeded, more or less following the ups and downs of the European integration process. Although European integration is not longer merely perceived as a question of economic cooperation, still national sensitivities play an important role in higher educational policy initiatives of the European Union.

Annex 1 : Relevant treaty articles

1.1. Treaties establishing the European Communities

Article 56 of the ECSC-Treaty (1951)

If the introduction, within the framework of the general objectives of the High Authority, of new technical processes or equipment should lead to an exceptionally large reduction in labour requirements in the coal or the steel industry, making it particularly difficult in one or more areas to re-employ redundant workers, the High Authority, on application by the Governments concerned:

- (a) shall obtain the opinion of the Consultative Committee;
- (b) may facilitate, in the manner laid down in Article 54, either in the industries within its jurisdiction or, with the assent of the Council, in any other industry, the financing of such programmes as it may approve for the creation of new and economically sound activities capable of reabsorbing the redundant workers into productive employment;
- (c) shall provide non-repayable aid towards:
 - the payment of tideover allowances to workers;
 - the payment of resettlement allowances to workers;
 - the financing of vocational retraining for workers having to change their employment.

The High Authority shall make the provision of non-repayable aid conditional upon payment by the state concerned of a special contribution of not less than the amount of that aid, unless an exception is authorised by the Council, acting by a two-thirds majority.

Article 41 of the EEC-Treaty (1957)

To enable the objectives set out in Article 39 to be attained, provision may be made within the framework of the common agricultural policy for measures such as:

- (a) an effective coordination of efforts in the spheres of vocational training, of research and of the dissemination of agricultural knowledge; this may include joint financing of projects or institutions;
- (b) joint measures to promote consumption of certain products.

Article 57 of the EEC-Treaty (1957)

1. In order to make it easier for persons to take up and pursue activities as self-employed persons, the Council shall, on a proposal from the Commission and after consulting the Assembly, acting unanimously during the first stage and by a qualified majority thereafter, issue directives for the mutual recognition of diplomas, certificates and other evidence of formal qualifications.

2. For the same purpose, the Council shall, before the end of the transitional period, acting on a proposal from the Commission and after consulting the Assembly, issue directives for the coordination of the provisions laid down by law, regulation or administrative action in Member States concerning the taking up and pursuit of activities as self-employed persons. Unanimity shall be required on matters which are the subject of legislation in at least one Member State and measures concerned with the protection of savings, in particular the

granting of credit and the exercise of the medical and allied, and pharmaceutical professions in the various Member States. In other cases, the Council shall act unanimously during the first stage and by a qualified majority thereafter.

3. In the case of the medical and allied and pharmaceutical professions, the progressive abolition of restrictions shall be dependent upon coordination of the conditions for their exercise in the various Member States.

Article 118 of the EEC-Treaty (1957)

Without prejudice to the other provisions of this Treaty and in conformity with its general objectives, the Commission shall have the task of promoting close cooperation between Member States in the social field, particularly in matters relating to:

- employment;
- labour law and working conditions;
- basic and advanced vocational training;
- social security;
- prevention of occupational accidents and diseases;
- occupational hygiene;
- the right of association, and collective bargaining between employers and workers.

To this end, the Commission shall act in close contact with Member States by making studies, delivering opinions and arranging consultations both on problems arising at national level and on those of concern to international organisations.

Before delivering the opinions provided for in this Article, the Commission shall consult the Economic and Social Committee.

Article 128 of the EEC-Treaty (1957)

The Council shall, acting on a proposal from the Commission and after consulting the Economic and Social Committee, lay down general principles for implementing a common vocational training policy capable of contributing to the harmonious development both of the national economies and of the common market.

Article 235 of the EEC-Treaty (1957)

If action by the Community should prove necessary to attain, in the course of the operation of the common market, one of the objectives of the Community and this Treaty has not provided the necessary powers, the Council shall, acting unanimously on a proposal from the Commission and after consulting the Assembly, take the appropriate measures.

1.2. Treaty on European Union (1992)

Article 3, sub p

For the purposes set out in Article 2, the activities of the Community shall include, as provided in this Treaty and in accordance with the timetable set out therein:

(p) a contribution to education and training of quality and to the flowering of the cultures of the Member States

Chapter 3 'Education, vocational training and youth'

Article 126

1. The Community shall contribute to the development of quality education by encouraging cooperation between Member States and, if necessary, by supporting and supplementing their action, while fully respecting the responsibility of the Member States for the content of teaching and the organization of education systems and their cultural and linguistic diversity.
2. Community action shall be aimed at:
 - developing the European dimension in education, particularly through the teaching and dissemination of the languages of the Member States;
 - encouraging mobility of students and teachers, inter alia by encouraging the academic recognition of diplomas and periods of study;
 - promoting cooperation between educational establishments;
 - developing exchanges of information and experience on issues common to the education systems of the Member States;
 - encouraging the development of youth exchanges and of exchanges of socio-economical instructors;
 - encouraging the development of distance education.
3. The Community and the Member States shall foster cooperation with third countries and the competent international organizations in the field of education, in particular the Council of Europe.
4. In order to contribute to the achievement of the objectives referred to in this Article, the Council:
 - acting in accordance with the procedure referred to in Article 189b, after consulting the Economic and Social Committee and the Committee of the Regions, shall adopt incentive measures, excluding any harmonization of the laws and regulations of the Member States;
 - acting by qualified majority on a proposal from the Commission, shall adopt recommendations.

Article 127

1. The Community shall implement a vocational training policy which shall support and supplement the action of the Member States, while fully respecting the responsibility of the Member States for the content and organization of vocational training.
2. Community action shall aim to:
 - facilitate adaptation to industrial changes, in particular through vocational training and retraining;
 - improve initial and continuing vocational training in order to facilitate vocational integration and reintegration into the labour market;
 - facilitate access to vocational training and encourage mobility of instructors and trainees

- and particularly young people;
- stimulate cooperation on training between educational or training establishments and firms;
 - develop exchanges of information and experience on issues common to the training systems of the Member States.
3. The Community and the Member States shall foster cooperation with third countries and the competent international organizations in the sphere of vocational training.
4. The Council, acting in accordance with the procedure referred to in Article 189c and after consulting the Economic and Social Committee, shall adopt measures to contribute to the achievement of the objectives referred to in this Article, excluding any harmonization of the laws and regulations of the Member States.

Annex 2 : Institutions and legislation

2.1. Institutions of the EU

The European Commission

The European Commission consists of 20 Commissioners, two from France, Germany, Italy, Spain and the United Kingdom, and one from each of the other Member States. They are nominated by the 15 Member State governments, appointed by the Council and approved by the European Parliament. They can be required to resign en bloc by a parliamentary vote of censure, but normally have a five-year term.

The Commission is independent of national governments and acts in the interests of the EU only. It is a collegiate body. Decisions are adopted by majority in most cases. The Commission has three functions:

- initiating proposals for legislation;
- guarding the Treaties: ensuring that legislation of the EU is correctly applied by the Member States;
- managing and implementing Union policies and international trade relationships: managing the annual budget (86 billion ECU in 1996), making rules to fill in the details of Council legislation, enforcing competition rules, negotiating trade and cooperation agreements, and so on.

The Commission is divided into 26 directorates-general (DGs) with additional specialised services. Each DG is headed by a director-general, reporting to a Commissioner who has the political and operational responsibility for the work of the DG.

The Council of Ministers

The Council of Ministers is made up of one minister for each Member State government. Depending on the policy subject under consideration (e.g. Foreign Affairs), other ministers are part of it (e.g. the ministers of Foreign Affairs). Being composed like this, the Council is the representation of the national interests.

The main power of the Council is twofold. It is the main legislative body in the EU. Together with the European Parliament, it is also the budgetary authority.

The Council is assisted by the General Secretariat and the COREPER, the committee of permanent representatives (ambassadors) of the Member States at the EU.

According to the Treaties, most decisions of the Council have to be taken with a qualified

majority or by unanimity. Previous to the effectuation of the Single European Act, often unanimity was sought. The Act extended the range of qualified majority voting. The Treaty on European Union increased this even more with regard to the 'first pillar' (European Community). In this field, in the vast majority of cases the Council decides with a qualified majority of votes. In the 'second' and 'third pillar' (Common Foreign and Security Policy; and Justice and Home Affairs) unanimity is the rule, except for the implementation of a joint action (this requires a qualified majority only).

The European Parliament (EP)

The European Parliament consists of 626 members, who are chosen through direct general elections, for a period of five years. Since 1997 it is presided by José María Gil Robles. Once a month plenary sessions are held. These are preceded by meetings of the parliamentary committees (20 standing committees and a number of others) and the eight political groups within the EP.

Like all parliaments, the European Parliament has three fundamental powers:

- the power to legislate;
- the power of the purse: adopting the annual budget;
- the power to supervise the executive (the Commission and the Council).

The powers of the EP have been strengthened by the Single European Act and the Treaty on European Union. The Treaties establishing the European Communities originally provided for the consultation of Parliament only. A Community law became null and void if the obligation to consult Parliament was not met. Nowadays, with the co-decision procedure being established, the EP and the Council share the power of decision equally in some areas, and the cooperation procedure guarantees influence of the EP in a large number of fields.

The Economic and Social Committee (ESC)

The ESC is an advisory committee of the Commission and the Council for matters concerning what used to be EEC and EURATOM matters. The 222 members are appointed for a period of four years by the Council on proposal of the governments of the Member States. They represent the socio-economic groups (employers, employees, and other activities) within the Community. The ESC is in general a forum for dialogue between these socio-economic groups.

The Committee of the Regions (CoR)

The Committee of the Regions is an advisory committee consisting of 222 representatives of local and regional authorities, who are appointed by the Member States for a four-year term. It brings a regional and local dimension to the Union (and is thus an implementation of the principle of subsidiarity). The CoR can give its advice in the following sectors: education, vocational training, and youth; culture; public health; trans-European networks in the areas of transport, telecommunications, and energy infrastructure; economic and social cohesion.

The European Council

The Heads of State or Government of the Member States, and the President of the Commission, meet at least twice a year in the European Council. The European Council decides on broad policy lines and political guidelines to be followed by the Community in order to develop European Union. Although existing since 1961, it was institutionalised for the first time by the Single European Act, and the objectives and working methods were defined by the Treaty on European Union.

The Court of Justice

The Court of Justice is the supreme court of the European Union. Its 15 judges and 8 advocates-general are appointed for six years by the governments of the Member States.

The Court of Justice ensures that the Treaties are respected and applied. The Court can rule on disputes between Member States, between the EU and Member States, between institutions, and between individuals and the EU. It can give opinions on international agreements. And its preliminary rulings guarantee a uniform implementation of Community law throughout the Union.

The Education Committee

The Education Committee was established in 1974 as an ad-hoc committee to prepare an action programme in the field of education. When this action programme was adopted in 1976, the Education Committee was given a permanent status.

It consists of representatives of the Ministers of Education of the Member States, of the Commission, and of the Council.

The main tasks of the Education Committee are to prepare the policy-making and decision-making of the Council and the Ministers of Education, and to execute the decisions of the Council in cooperation with the Commission.

2.2. The decision-making process

The decision-making process in the EC/EU evolved in three stages.

In the first stage (up till the Single European Act) the basic principle was that the Commission proposed texts, which the Council adopted, after consulting the Parliament.

With the Single European Act a second stage began. The Commission was granted almost all implementing powers, i.e. the right to initiate legislation. In the Council qualified majority voting was extended. For cases in which the Council votes by qualified majority, the cooperation procedure was introduced. Next to this, the scope of the assent and consultation procedures was widened.

The third stage started with the Treaty on European Union. The Treaty extends the cooperation, assent, and consultation procedures. It also introduces the codescision procedure. This procedure is an addition to the cooperation procedure in certain areas, and holds the adoption of Community legal acts jointly by the Parliament and the Council.

The Commission and the Council are traditionally the main actors in the decision-making process. The Commission has the right of initiative. The Council acts as legislator. But the role of the Parliament has increased significantly. Whereas at first it was only consulted, nowadays it has an equal legislative power to the Council in certain areas.

The four legislative procedures that can be followed, are:

1. Consultation (single reading)

Parliament's opinion must be obtained before a legislative proposal from the Commission is adopted by the Council. This procedure is applied when no other specific procedure is provided.

2. Cooperation procedure (two readings) (see figure 1)

The cooperation procedure applies when the Council acts by a qualified majority. If the opinion Parliament delivered at its first reading is not sufficiently taken into account in the Council's common position, Parliament may reject the proposal at second reading. The Council can overturn Parliament's rejection only by a unanimous decision.

This procedure applies to a large number of areas such as the European Regional Development Fund, research, the environment, and cooperation and development.

3. Co-decision procedure (three readings) (see figure 2)

In the co-decision procedure the EP shares decision-making power equally with the Council. If the Council does not take sufficiently into account the opinion of the EP, the EP can prevent the adoption of the proposal. If this happens, a conciliation committee (made up of Members of Parliament, the Council and the Commission) tries to find a compromise before Parliament's third reading. If agreement is still not reached, Parliament can reject the proposal definitively.

This procedure applies to the following areas: the free movement of workers, the establishment of the internal market, technological research and development, the environment, consumer protection, education, culture and health.

4. The assent procedure

In the assent procedure the Council unanimously adopts a position (usually on the basis of a Commission proposal). The Parliament then can give or withhold its assent.

The assent procedure is used for agreements on sensitive topics: the accession of new Member States, international agreements with significant financial implications, a uniform procedure for elections to the European Parliament, the right of residence for Union citizens, the organisation and goals of the Structural Funds and the Cohesion Funds, the tasks and powers of the European Central Bank, sanctions in the event of a serious and persistent breach of fundamental rights by a Member State.

The decision-making process can result in different kinds of Community acts. The acts that are legally binding are Regulations, Directives, and Decisions.

A 'Regulation' can be described as a form of Community law adopted by the Council or sometimes the Commission, that is generally and directly applicable in all Member States and binding in all parts. After its publication in the Official Journal it has the same legal force as a national law.

A 'Directive' is only binding for the Member States as far as the result is concerned (it gives an outline of the required legislation). The means and the form to achieve this result (the details of the implementation) can be chosen freely by the Member States. It is an instruction adopted by the Council to one or more Member States to legislate on an specific matter within a defined period of time.

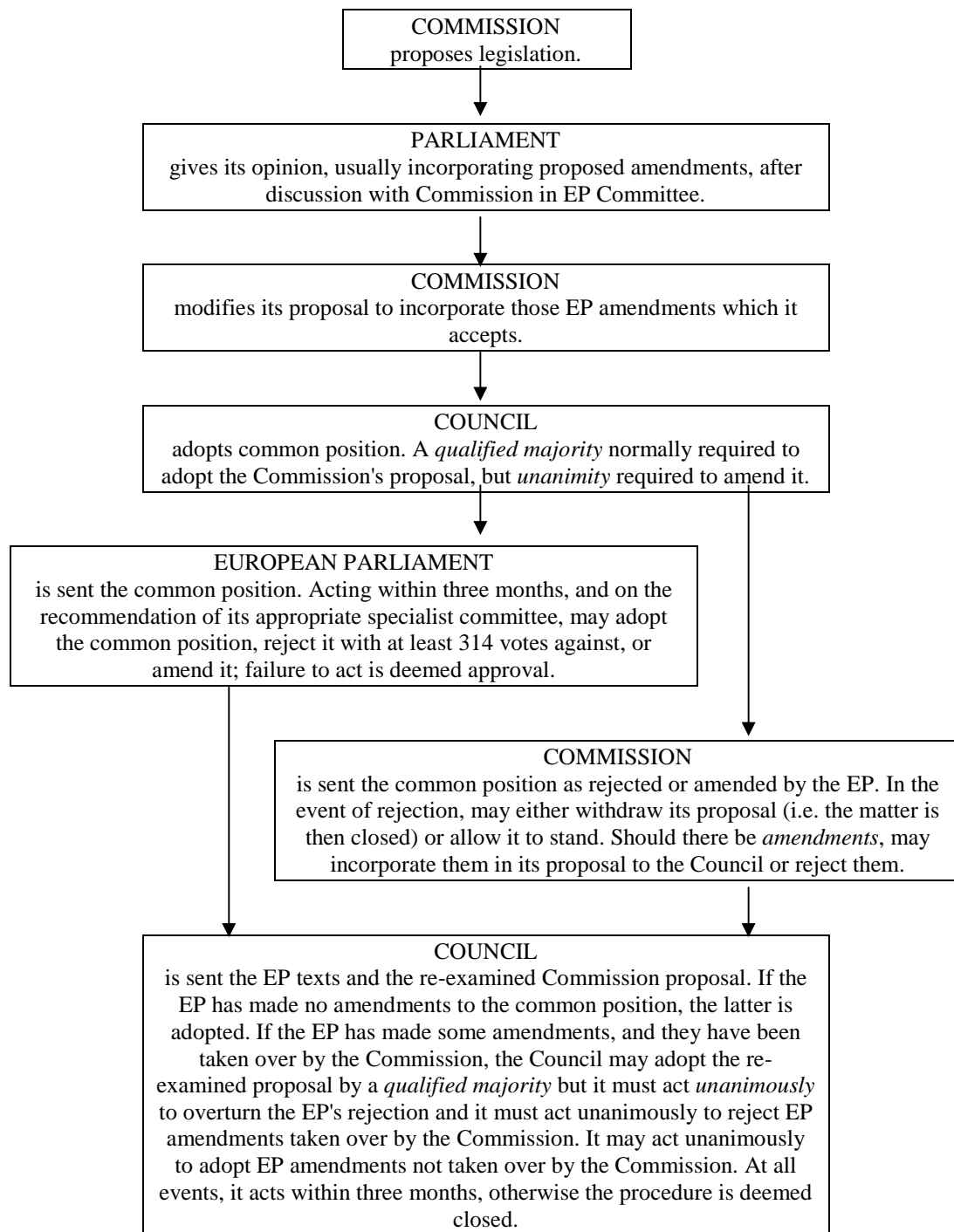
A 'Decision' is a formal ruling adopted by the Council or the Commission that is binding in

all parts for the addressed party (one or more specifically named governments, organisations or individuals). It usually clarifies and elaborates a general piece of legislation in relation to a specific case.

Non-binding acts are 'Recommendations' and 'Opinions', issued by Council or Commission, which point out a certain degree of agreement between the Member States; 'Resolutions' and 'Declarations' are merely the expression of a political will of the Member States. In the areas of the 'second' and 'third pillar', the main instruments are joint actions and common positions, and conventions.

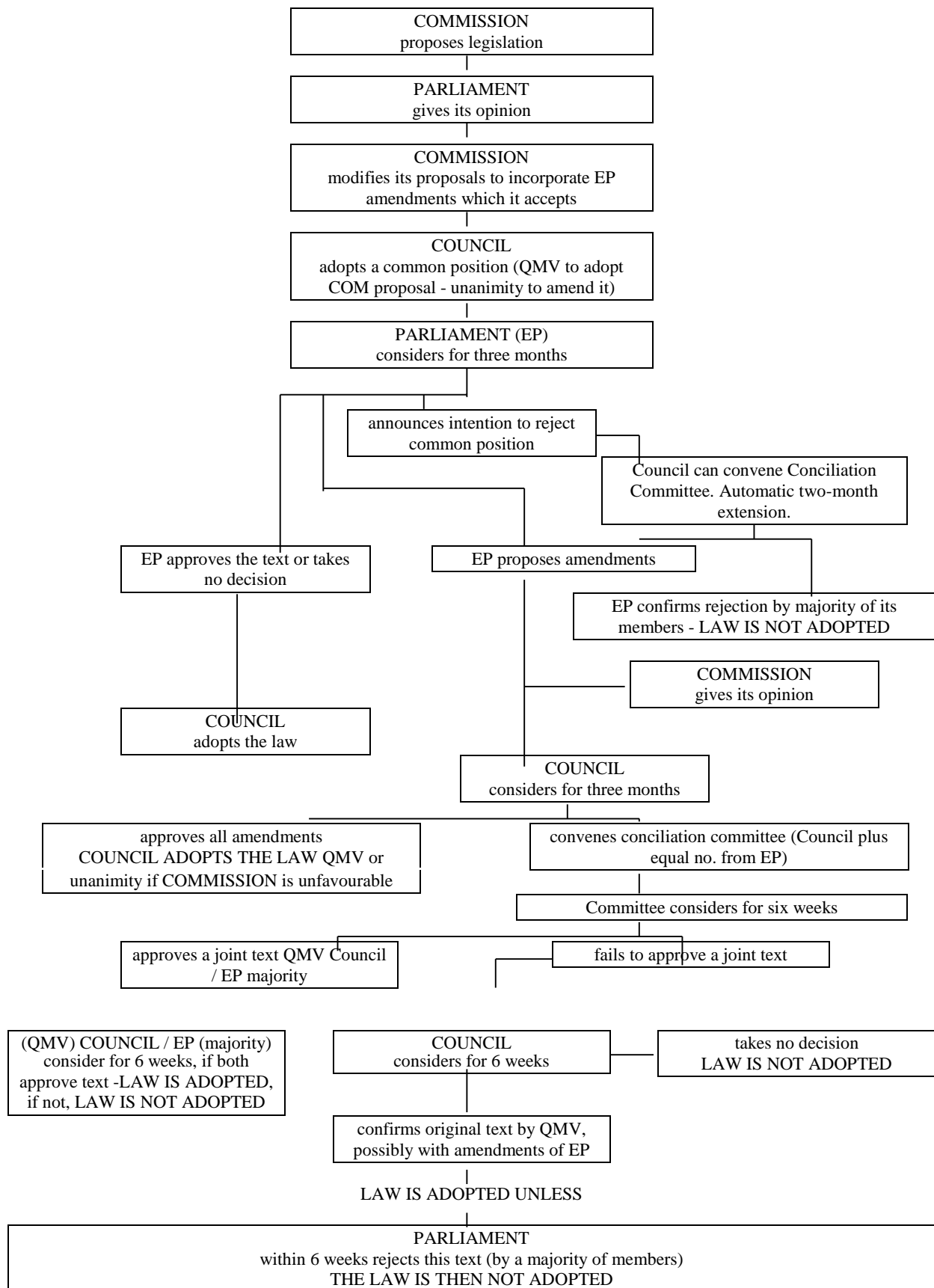
The Commission also issues green and white papers. A Green Paper communicates ideas and tries to stimulate discussion about proposed policies and programmes. A White Paper sets out proposed legislative initiatives.

Figure 1: The cooperation procedure



Source: Corbett, R. ea. (1995) *The European Parliament. Third Edition*. London: Cartermill International Ltd.

Figure 2: The co-decision procedure



Source: Corbett, R. ea. (1995) *The European Parliament. Third Edition*. London: Cartermill International Ltd.

Abbreviations

ACP	African-Caribbean-Pacific Countries
ALFA	America Latina Formación Académica
Bull. EC	Bulletin of the European Community
CEDEFOP	Centre Européen pour le Développement de la Formation Professionnelle
COM	documents of the Commission (issued by the Office for Official Publications of the European Communities)
COMETT	Programme on Cooperation between Universities and Enterprises regarding Training in the Field of Technology
DELTA	Developing European Learning through Technological Advance
DG	Directorate General
EC	European Community
ECTS	European Community Course Credit Transfer System
ECU	European Currency Unit
EEC	European Economic Community
EFTA-EEA	European Free Trade Association - European Economic Area
EMU	European monetary union
ERASMUS	European Action Scheme for the Mobility of University Students
EU	European Union
FAST	Forecasting and Assessment in the field of Science and Technology
HCM	Human Capital and Mobility
ICP	Inter-university Cooperation Programme
IGC	Inter-Governmental Conference
IRDAC	Industrial Research and Development Advisory Committee
JEP	Joint European Project
JSP	Joint Study Programme
Jur.	jurisdiction of the European Court of Justice
NARIC	Network of Academic Recognition Information Centres
NGAA	national grant awarding authority
ODL	open and distance learning
OJ C	Official Journal of the European Communities, Communications
OJ L	Official Journal of the European Communities, Legislation
PETRA	Project for Education and Training for young people
RTD	research and technological development
SCIENCE	Stimulation des Coopérations Internationales et des Echanges Nécessaires aux Chercheurs en Europe
SME	small and medium-sized enterprises
SPES	Stimulation Plan for Economic Sciences
TEMPUS	Trans-European Mobility Programme for University Studies
PHARE	Poland and Hungary Assistance for Restructuring of the Economy
TACIS	Technical Assistance Commonwealth of Independent States
UETP	University-Enterprise Training Partnership

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Notes

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³⁵ For a description of the decision-making procedures of the EC / EU, see Annex 2.

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This report is a synthesis of 18 studies (statistical analyses and surveys) carried out by the ERASMUS evaluation research team at the Centre for Research on Higher Education and Work of the Comprehensive University of Kassel.

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- ⁴³ o.c., Table 12. Actual number of ERASMUS and LINGUA (Action II) students 1987/88 - 1993/94.
- ⁴⁴ o.c., p. 202.
- ⁴⁵ o.c., p. 188.
- ⁴⁶ o.c., p. 190.
- ⁴⁷ Bull. EC suppl. 2 - 1986.
- ⁴⁸ The decision-making process in the EU is explained in Annex 2.
- ⁴⁹ COM (88) 280 final of 18 May 1988; Bull. EC 5 - 1988, no. 1.2.3.-1.2.9.
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- ⁵¹ OJ 1989 C 277 / 5-6.
- ⁵² OJ 1992 C 151 / 3-4.
- ⁵³ OJ 1989 C 308 / 13-14.
- ⁵⁴ OJ 1989 L 19 / 16-23.
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- ⁵⁸ OJ 1990 L 131 / 21-26; OJ 1993 L 112 / 34-39; OJ 1996 L 306 / 36-39.
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- ⁶⁰ OJ 1989 L 375 / 11-12.
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- ⁶³ OJ 1990 L 131 / 1-5; OJ 1993 C 323 / 1-4.
- ⁶⁴ COM (91) 349 final of 5 November 1991; Bull. EC 11 - 1991, no. 1.2.82.
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- ⁶⁸ COM (93) 183.
- ⁶⁹ OJ 1988 L 206 / 34-37.
- ⁷⁰ OJ 1989 L 44 / 43-45.
- ⁷¹ OJ 1989 L 98 / 29-36.
- ⁷² OJ 1988 L 206 / 20-28.
- ⁷³ OJ 1992 L 107 / 1-10.
- ⁷⁴ OJ 1992 C 191 / 1-112.
- ⁷⁵ The full text of both articles can be found in Annex 1.
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- ⁷⁷ COM (93) 183 final of 9 May 1993; Bull. 5 - 1993, no. 1.2.62 (4).
- ⁷⁸ Bull. EC suppl. 6 - 1993. The meaning of the different kinds of policy papers is explained in Annex 2.
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- ⁸³ OJ 1994 L 340 / 8-24.
- ⁸⁴ COM (97) 399 final.
- ⁸⁵ OJ 1995 L 279; OJ 1995 L 300.
- ⁸⁶ COM (95) 590 final.
- ⁸⁷ OJ 1995 C 166 / 108-109.
- ⁸⁸ OJ 1995 C 130 / 13-19.
- ⁸⁹ Bull. EU suppl. 5 - 1996.
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- ⁹⁶ COM (1998) 305 final.